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ABSTRACT

These law-related lessons and activities can facilitate participation in a Law Day program. Following an introduction, this activities guide is divided into these sections: "Tips for Teachers" ("What Can a Lawyer Add to the Classroom?"; "So You Have Been Asked to Speak to Kids about the Law"; "A Checklist for Lawyers and Judges in the Classroom"); "Lessons for K-5" ("Law in the Land of Play"; "3 Bears Mock Trial"; "Dorothy v. the Witch"; "Chocolate Drop Cookies"); "Lessons for 6-8" ("To Sue or Not to Sue, Is It Worth It?"; "A Visit from Your Local Police"; "Mock Trial for Middle School Students"); "Lessons for 9-12 and Adult" ("Teaching Law with Films"; "Why We Have and Need Laws"; "Choosing Judges"; "Family Affair"; "Child Abuse and Neglect"); "Activities for Senior Citizens"; and "Understanding the Law through Literature" (reading list). Each lesson contains directions for teachers, and some contain handouts. (BT)

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Illinois State Bar Association
LAW DAY ACTIVITIES GUIDE

2001 Edition

Illinois State Bar Association
Committee on Law-Related Education for the Public
and
Illinois LEARN Program

424 South Second Street
Springfield, IL 62701

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NOTE

The lessons that follow are designed for use by teachers and resource people working together. Each lesson contains directions for teachers and resource personnel and some contain handouts.

This Guide has not been copyrighted and any part may be duplicated by teachers for in-class use.

INTRODUCTION TO THE ISBA LAW DAY ACTIVITIES GUIDE

The annual observance of Law Day provides members of the legal and educational communities with a special opportunity to work together in promoting a greater understanding and appreciation of law and the legal system among school students. These law-related lessons and activities may serve to facilitate your participation in a Law Day program in your community and to maximize the potential benefit of the program to students.

The use of law-related education materials and strategies in the elementary and secondary schools have proven to be effective in the development of citizenship skills. It is important that students be aware of the importance of the rule of law and the legal process. It is also important that students understand about rules and the norms of appropriate behavior. Law related education materials not only teach students about government and laws, but also do so using methods that increase students analytical and problem solving skills. The materials require the active participation of students, increasing the student's sense of self-worth.

Law-related education materials and strategies have proven to be effective both with excellent, highly motivated students and with students who have not been as successful at school. In fact, students who have not excelled in school seem to be more interested and willing to participate in law-related activities than they do with traditional educational materials. Recent studies by the office of Juvenile Justice and Delinquency Prevention (OJJDP) have shown that law-related education has an important role to play in the reduction of juvenile delinquency.

Since reaching a peak in 1993, juvenile crime rates have dropped in each of the following years. For example, the Administrative Office of the Courts in Kentucky has developed extensive LRE materials and training programs that have proven to be effective in that state's efforts to reduce juvenile delinquency. Teaching children about rules, responsibility and respect for authority are important cognitive messages contained in law-related education materials. In addition to the substance of the materials, there are a number of other factors that account for LRE's capacity to reduce delinquent behavior. These include:
--the use of classroom activities which involved a high degree of student participation, such as case studies, mock trials, moot courts, and other institutionalized means of conflict management and decision-making;
--the support of faculty and administrative personnel for the use of the innovative teaching and learning practices that LRE involves;
--the participation of law enforcement officers and other members of the system of justice in the instruction of students; and
--the high natural interest of students in learning about the practical application of the law, the Constitution, and the justice system.

Those who work in the legal system can play a vital role assisting teachers in the implementation and development of law-related education materials, as guest participants in classroom presentations, and as hosts of field visits by students. The goal of these materials is to provide guides for lawyers and

other legal professionals who wish to participate in Law Day activities. They may be modified to fit the needs of individual teachers and presenters. For further information on Law Day activities, law-related education in Illinois, write: Committee on Law-Related Education for the Public, Illinois Bar Center, Springfield, IL 62701.

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TIPS FOR TEACHERS AND RESOURCE PERSONNEL

A. Resource personnel working with students in the classroom and in their own agencies:

1. Begin your presentation with your most interesting information. Grab the students' interest immediately.
2. Remember that your audience will be greatly concerned with information that touches their lives. They will respond little or not at all to facts and information that have little relevance to them.
3. Be relaxed and be yourself. Try to incorporate personal reflections during your presentation. Some examples of questions you might want to answer include the following: Why did you become a lawyer, paralegal, police officer, consumer advocate, etc.? How has the job affected your life? Your family? What has been your most frightening experience on the job? Your happiest? Is you job what you expected it to be?
4. Encourage student participation. Avoid lectures.
5. Remember that no one has all the answers. If a question is asked that is not a part of your expertise, do not hesitate to admit that you do not know.
6. Be honest. Don't feel that you have to defend aspects of the system that you feel are unfair or inconsistent. Be candid and consider raising policy issues for discussion.

B. Ways in which you may be asked to participate in the classroom:

1. As a resource person in a simulation dealing with particular aspects of the legal process, such as an enactment of an arrest.
2. To help prepare and/or participate as a judge in a mock trial.
3. To teach a class using the Socratic method, challenging students to think through all the ramifications of a legal problem.
4. To serve as a participant or moderator in a panel discussion or debate.
5. To answer questions that may arise during class discussion.

C. Things a teacher should tell a resource person who is visiting a classroom:

1. The teacher's objective in asking the person to visit (e.g., to provide substantive legal information, provide career information, discuss his/her personal feelings about an issue).
2. The number and age level of the students, and their preparation for your visit.
3. Date, time, exact location of visit and special instructions (some schools have only one unlocked entrance; most require visitors to register in the main office); where to park.
4. How and where to contact the teacher if you must cancel.
5. What type of evaluating procedures will be used to assess your effectiveness in the classroom?

D. Ways in which you might involve students on field trips to your agency:

1. Provide information about situations involving young people that relate to the subject to be discussed and the work of the agency.

2. Give students hypothetical or actual cases and let them decide how to handle the case--put them in the shoes of a police officer, lawyer, paralegal, parole officer, consumer advocate, etc.
3. In place of, or in addition to a tour, students can be paired off and follow one of your personnel through a normal day.
4. Time should be provided at the end of the visit for a discussion of the day's activities.

E. Things you should know before students visit your agency:
1. Objectives of the visit.
2. How many students are coming, from what school, at what time, for how long, and with what adults to supervise?
3. Students' previous preparation for visit.
4. Plans for evaluation and follow-up activities.

WHAT CAN A LAWYER ADD TO THE CLASSROOM?

By Dr. Warren Solomon, Social Studies Consultant, Missouri Department of Elementary and Secondary Education. Originally published in The Citizenship Educator, Special Law Day 2000 Edition, published by the Missouri Bar Advisory Committee on Citizenship Education. Adapted to Illinois Law and reproduced with permission.

Take any grade level and take any subject, except perhaps mathematics. Imagine the teacher is very good. We will call her Ms. Marshall, but the name could just as well be Mr. Marshall or Jones, Kobayashi, Washington, Lincoln, Gogatski, or Chen.

Ms. Marshall is conscientious. She helped develop her district's curriculum and is committed to using it effectively in her classroom. Being in Illinois, she is also very concerned about helping her students increase their competence to meet standards established by the Illinois State Board of Education.

There is much she wants her students to learn and so little time to teach everything. Ms. Marshall contemplates inviting an attorney as a resource person to help her students learn what she is trying to teach. But why? What--if anything--can an attorney add to her classroom? After all, Ms. Marshall, we agreed, is an excellent teacher.

The fact is that the attorney may add little, if anything to her classroom. It is even possible that in a cost-benefit analysis, the cost of valuable instructional time could exceed the benefit. The attorney might distract Ms. Marshall and her students from other more important things, but Ms. Marshall has good reasons for inviting an attorney to her classroom. She recognizes that an attorney could bring important perspective to her students, to help them answer questions such as:

What is law? How specifically does law have an impact upon whatever content Ms. Marshall's students are studying (public health and safety, the environment, the family, pets and animals, or the economy, and so on)?

How specifically do the United States and Illinois constitutions have an impact on law and regulations at national, state, and local levels? How does it have an impact on students at home and at school?

What are the rights and responsibilities of citizenship in our society?

How are legal cases adjudicated under Illinois' adversary system? What are the roles of various people in the courtroom: judge, prosecuting attorney, defense attorney, witnesses?

What sorts of horrendous legal mistakes do some young people make in their lives? What consequences follow? How could such problems be prevented?

How is law made and enforced? Why is there a need for courts to interpret law? How does the interpretation of law sometimes have a profound impact on people's lives?

Ms. Marshall wants an attorney because the attorney would be able to bring the content she is teaching to life with specific details because the attorney may work with that content in his or her daily work.

She also knows that for the attorney to succeed as a resource person in her classroom, she needs a plan to get the attorney into an interactive mode with her students. Here are some of the things Ms. Marshall is considering:

To develop with the attorney the topic for class discussion, have the students generate questions they have about that topic, and use their questions in the discussion with the attorney.

To show students a film that deals with law-related topics and then discuss the content of the film with the students and the attorney.

To present students with a legal case and divide the class to plan the case from plaintiff and defendant perspectives, with one or more attorneys serving as resource people to help the students in their planning.

To have students conduct a mock trial with an attorney serving as the judge. (The attorney could help students understand proper legal procedures in the process and could also assist in debriefing the case to help students learn how they could improve their arguments.)

To discuss with students how attorneys carry out their work in preparation for legal cases in civil and criminal courts and in dealing with arbitration or mediation matters.

To analyze specific legal cases in the news to help students understand the issues that juries need to address given the judge's instructions.

Because Ms. Marshall has planned with the attorney for how to conduct the visit, Ms. Marshall knows the attorney will contribute very much to her students. In fact, for all involved--students, Ms. Marshall, and the attorney--this will be a rich learning experience.

SO YOU HAVE BEEN ASKED TO SPEAK TO KIDS ABOUT THE LAW...

Lawyers and Judges in the Classroom

By Millie Aulbur, Director of Law-Related Education for the Missouri Bar. (Reproduced with permission)

Lawyers can be an excellent resource for classroom teachers. Lawyers have unique insights they can share about how the Illinois and United States Constitutions daily affect the lives of ordinary citizens. They can close the gap between what the law appears to be in television and movies and what it is like in real life. They can enthrall students with the real life drama of law. Or a lawyer can make the classic mistakes in classroom presentations that have students wishing they had toothpicks to prop open their eyelids and some formerly want-to-be lawyers completely rethinking their career choices.

What are these classic mistakes lawyers make when making classroom presentations? The most common and the most fatal is the 50-minute "career talk." While I do believe that all lawyers who present in a classroom should spend some time talking about their education and why they decided to become lawyer, this should take no longer than three minutes. Another sure-fire way to torpedo any interest the students may have in the law is to thoroughly explain what kinds of cases you do in great detail. While the tax lawyer may be thoroughly fascinated by the U.S. Tax Code, no one else is--especially anyone under age 18. Even if a lawyer has an unusual case to talk about, it is very difficult to compete with the legal dramas on television and in the movies.

How can a lawyer be a hit in the classroom, avoid the "pitiful presentation" quagmire, and demonstrate that the law is truly interesting and essential to our way of life? Get the students involved. This Law Day publication contains lesson plans for classroom use. If you have an interesting case you want to share with the students, give them the essential facts, and then let them play the parts of the parties, the lawyers, the judge and the jury. The Illinois State Bar Association has materials on how to conduct a mock trial, and has scripts if students might be interested in presenting a play rather than forming their own arguments.

For this information, contact Donna Schechter, Illinois State Bar Association, Committee on Law-Related Education for the Public, 424 South Second Street, Springfield, IL 62701, 800/252-8908, 217-525-1760, or e-mail her at dschecht@isba.org.

A Checklist for Lawyers and Judges in the Classroom

Before visiting the classroom:

Confer with the teacher prior to the visit to make sure that both of you know what is expected.

Discuss classroom logistics. Ask about classroom rules and how students will be identified. For example, some teachers have seating charts; others may have nametags for the students.

If you need audio-visual equipment or a computer projector, ask the teacher if the school has it available for your use.

Discuss the lesson you plan to teach with the teacher to make sure it fits into the overall curriculum.

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Discuss information about the students with the teacher. Ask about class size, grade level, ability levels (reading, verbal, reasoning, etc.), special needs of students, likelihood of prior personal experience with the legal system and possible situations that you may need to be sensitive about for a particular group of students.

Photocopy any handouts you may want to give to the students. Be sure to make sufficient copies.

Review your lesson plan. Be as prepared to teach the lesson as you would be to present a case in court.

DURING THE CLASSROOM VISIT

Teach the lesson you have prepared. Students are masters of getting speakers off the subject!

Translate "legalese" into plain English.

Be yourself.

Watch the time! To complete the lesson you will need to follow the time estimate given in the lesson plan for each activity.

Follow whatever plans you and the teacher determined would work for the students, yet look to the teacher for modification if necessary. Use the time students are reading or working in small groups to confer with the teacher.

Be mobile. Circulate around the classroom rather than standing in the front of the room for the entire period.

Encourage active student participation. Try to involve the entire class by calling on as many students as possible. Do not let one or two students monopolize the entire discussion.

Be open to just about anything. The minds and interests of students may be a pleasant surprise. Enjoy your time with them.

DO NOT:

Give advice on individual legal problems

Lecture to the students

Read a prepared speech

Tell a lot of "war stories"

Classrooms aren't the only place you might be needed! There are other groups that might enjoy speaking with you in your capacity as a legal professional. Schools, church groups, senior citizens centers, political groups, civic organizations or fraternal organizations often are looking for speakers for programs to interest their members. If you have expertise in a favorite area of law, you may be the perfect speaker to entertain and educate at a discussion about senior citizens rights, consumer protection, arbitration, legal careers or other aspects of legal practice.

LAW IN THE LAND OF PLAY - A lesson plan for grades K-5

Created by Millie Aulbur, Director of Law-Related Education for the Missouri Bar.
Reprinted with permission.

Grade Levels - K to fifth grade

Materials needed - A bag of toys that include a toy car, a baby doll, Ken and Barbie, sports items, stuffed animals and a toy gun.

Objective - To demonstrate how prevalent the law is in everyday life.

Recommended presenter - Lawyer

Comment - This is a presentation that has been proven to be highly successful and fun for young students and lawyers.

Procedures -

1. Ask the students if they like toys and if they like to play. Explain that you have brought some toys to help them explore the law.

2. Then begin to take out various toys and discuss the law:

a. Take out a toy car and ask what some of the laws are that people need to follow if they own or drive a car? Lead the students into discussions that cover this area. (Seat belts, traffic laws, safety inspections, drivers' licenses, infant seats.) You may also want to discuss gasoline taxes and clean air requirements for emissions.

Note: These discussions will probably cover various jurisdictions: federal, state and local. Take this opportunity to sort out these jurisdictions in a very simplified form. For example, students may know that there is a national capital, a state capital, a county seat and a city council. Explain that each may make laws.

b. Take out a baby doll and ask students what comes to mind when they see this doll? Are there federal regulations or laws about toy safety and for real infants; birth certificates, who may deliver babies, who is responsible for a child's care, what happens when a child is not properly cared for.

c. Take out Ken and Barbie and ask if the students know about any laws that might affect a teenager: driving, curfew, school laws, marriage laws, and juvenile laws....

d. Take out some stuffed animals and discuss what kinds of laws might affect animals: shots, leash laws, noise laws about barking....

e. Take out the toy gun and explain that it is a toy! Ask the students if they know of any laws that would govern the use or possession of guns: licensing, safety, background checks, not allowed to be used around playgrounds/schools, etc....

f. Sports equipment: ask students to think about laws and rules that we have about sports: fairness, fair play, rules for games, rules for sports figures....

Conclude by asking the students what kind of rules they must follow in their classrooms.

K-5 Lessons

LESSON TOPIC: (#2) Role-players in the legal system
LESSON TITLE: Three Bears Mock Trial
STUDENT MATERIALS: Mock trial script; costumes and props; courtroom diagram handout
DIRECTIONS:

1. (Teacher) Note: This activity is best for 3rd to 5th graders and will take a fair amount of advance preparation. Approximately one week before Law Day, read through the trial script aloud in class. Two or three days before you do this activity, assign students to play the various roles in the trial and have them practice reading their parts. The rest of the class should read the entire script again (these students will play the roles of the jurors). You will also need to have students prepare their costumes and props in advance.

2. (Lawyer/Judge) Go through the courtroom diagram with the class, then help students find their appropriate places for the mock trial.

3. Conduct the mock trial. At the end, the student jurors should be taken to another room and asked to render a decision in the case.

4. (Lawyer/Judge) Ask students how they felt about their trial. Was Golden Locks given a fair chance to tell her side of the story? Did it seem like a real trial (except for the story)? Discuss with students the roles of the judge, attorneys, defendant, witnesses, jurors and bailiff: What are their jobs in a trial? Whose job is the hardest? The easiest? Could you have a trial without any of these people?

MOCK TRIAL SCRIPT
MOM A. BEAR
POP A. BEAR
and
BABE E. BEAR
v.

GOLDEN LOCKS a/k/a

GOLD E. LOCKS

(For Pre-School Children Through Primary Grades)
Prepared by: Attorney Richard D. Torpy, Denver, Colorado

PARTICIPANTS IN TRIAL

Judge
Mom A. Bear
Pop A. Bear
Babe E. Bear
Gold E. Locks
Plaintiff's counsel
Defendant's counsel
Jurors
Bailiff

SCENE: The Arapaho District Courthouse. The Bailiff comes out and calls the case of Mom A. Bear, Pop A. Bear and Babe E. Bear vs. Golden Locks, also known as Gold E. Locks. The Bears are seated at the Plaintiff's table. Golden Locks and her mother, Mrs. Locks, are sitting at the defense table.

JUDGE: This is the case of Mom A. Bear, Pop A. Bear and Babe E. Bear vs. Golden Locks. As I understand the pleadings, the charge against Golden Locks is that she showed bad manners. Are there any opening statements?

ATTY FOR BEARS: Your Honor, in this case we will show that one crisp fall morning Mom A. Bear got up early and made a steaming bowl of porridge. She intended to serve the bowl of porridge to Pop A. Bear and Babe E. Bear for breakfast. We will further show that because the porridge was too hot, the Bears decided to take a walk in the forest. While walking in the forest, Gold E. Locks entered the home of the three Bears and ate some porridge out of the bowls of Mom A. Bear and Pop A. Bear. She ate all the porridge from the bowl of Babe E. Bear. After eating Babe E. Bear's porridge, Gold E. Locks sat down in Babe E. Bear's chair and broke it. After breaking the Babe E. Bear's chair, Gold E. Locks went upstairs and fell asleep in Babe E. Bear's bed. Through our evidence we will show that Gold E. Locks did not use good manners in her actions. Thank you, your Honor.

JUDGE: Does the attorney for Gold E. Locks have any opening statement?

ATTY FOR LOCKS:
You Honor, these charges of bad manners against Gold E. Locks are ridiculous. We will show that the Bears invited Gold E. Locks into their homes by leaving the door open. Gold E. Locks was out walking in the forest, minding her own business, and picking flowers, when she smelled the sweet aroma of porridge cooking. She had been in the forest many times before and she knew where the Bears lived. Gold E. Locks merely thought she was invited for breakfast. We will further show that the porridge was so good that Gold E. Locks decided to take a nap so that she could sleep off her breakfast. We will show that Gold E. Locks was a guest and certainly did not demonstrate any bad manners.

JUDGE: Very well. Call your first witness.

ATTY FOR BEARS: I call Mom A. Bear as my first witness.
(Mom A. Bear gets up, goes forward to be sworn in.)

JUDGE: Please raise your right paw.
(Mom A. Bear raises her right paw.)

JUDGE: Do you swear that the evidence you are about to give is the truth, the whole truth, and nothing but the truth?

MOM. A. BEAR: I do.

JUDGE: Please be seated

ATTY FOR BEARS: Please state your name.

MOM A. BEAR:
My name is Mom A. Bear. That's first name Mom, middle initial A., last name Bear. They also call me Mama Bear.

ATTY. FOR BEARS: Where do you live?

MOM A. BEAR
I live in a little bungalow House in the forest. The forest is surrounded by flowers and trees. It is a pretty little house.

ATTY FOR BEARS: Is that forest located in (insert local city & state)

MOM A. BEAR: Yes, it is.

ATTY. FOR BEARS: Who else lives in the house?

MOM A. BEAR: My husband Pop A. Bear and our little bear, Babe E. Bear, live with me.

ATTY FOR BEARS: On the morning of October 26, 1977, did you make breakfast for your family?

MOM A. BEAR Yes, I did. I always make a wholesome nutritious breakfast for my family. As they are very fond of porridge, I made porridge on that particular day, and as I always do, I sprinkled the porridge with honey, a pinch of cinnamon and two pawfuls of raisins. Pop A. Bear especially likes the two pawfuls of raisins.

ATTY FOR BEARS: Very well, I see, it sounds delicious.

MOM A. BEAR: It is! You should come over and try some sometime.

ATTY FOR LOCKS: Your Honor, I object to that last question concerning Mom A. Bear's invitation to her attorney to try her porridge. We will stipulate that Mom A. Bear makes very good porridge.

JUDGE: Very well. Counselor would you please comment only on the case and not on your social life with the Bear family.

ATTY FOR BEARS: After you made the porridge, Mom A. Bear, what did you do?

MOM A. BEAR:
I called Pop A. Bear and Babe E. Bear to come downstairs for breakfast. I really did not have to call them as the aroma from the porridge brought them downstairs quickly.

ATTY FOR BEARS: Then what happened?

MOM A. BEAR:
We sat down at the table and said grace. After grace, Babe E. Bear said that the porridge was too hot and was burning her tongue, so we decided to go for a little walk in the forest and let the porridge cool.

ATTY FOR BEARS: I see. Do you always walk in the forest?

MOM A. BEAR:
Oh, yes! We love to walk in the forest. Walking is good for us in the bright sunshine.

ATTY FOR BEARS: When you got back from your walk, what did you find?

MOM A. BEAR:
Well, the door was open, I had told Babe E. Bear to close it but she forgot. You know how baby bears are about doing those things.

ATTY FOR BEARS:
Yes, I know. I have baby bears of my own. What did you see when you got back?

MOM A. BEAR: I think we should let Pop A. Bear tell that.
(Mom A. Bear gets down from the witness stand. Pop A. Bear goes forward to be sworn, raises his right paw, and is sworn by the Judge.)

ATTY FOR BEARS: Please state your name.

POP A. BEAR: My name is Pop A. Bear (growling)

ATTY FOR BEARS: Do you live in the forest with Mom A. Bear and Babe E. Bear?

POP A. BEAR: Yes, that's our home. It's located out in (insert local place).

ATTY FOR BEARS:
Very well. When you got back from your walk in the forest what did you notice?

POP A. BEAR:
Well, first I noticed that the door was open. I told Babe E. Bear to close it several times, but I guess she forgot again. I'm going to have to speak to Babe E. Bear about her forgetting to close the door when I tell her to!

ATTY FOR BEARS: Did you smell porridge in the house?

POP A. BEAR:
Oh yes! It smelled delicious. Mom A. Bear is the best porridge-maker in the whole forest. I especially like the two pawfuls of cinnamon and raisins she puts in it.

ATTY FOR LOCKS:
Your Honor, we know Mom A. Bear makes good porridge. We will stipulate for the record that Mom A. Bear's porridge is the best porridge in the whole wide world, not to mention the best porridge in (insert local place).

ATTY FOR BEARS: When you got back to the house what did you notice first?

POP A. BEAR:
Well, I went over to eat my bowl of porridge. When I looked in the porridge bowl I could see that someone had taken bites!

ATTY FOR BEARS: Did you say anything?

POP A. BEAR: Yes, I growled, "Somebody's been eating my porridge."
(Attorney for Bears takes bowl of porridge labeled "Pop A. Bear" and has it marked as an exhibit.)

ATTY FOR BEARS:
Pop A. Bear, I now hand to you what has been marked as "Bear's Exhibit A." Is that your bowl?

POP A. BEAR: Yes, can't you see it says "Pop A." on it?

ATTY FOR BEARS: Oh. Is this the bowl of porridge that was sitting on your table?

POP A. BEAR: Yes, it is. I never eat my porridge from any bowl except that bowl.

ATTY FOR BEARS
And when you came back from your walk in the forest, is this the way you found it?

POP A. BEAR: Yes, it was empty, just like it is now!
(Attorney gives bowl to Court)

ATTY FOR BEARS: Your Honor, I ask that our exhibit be admitted as evidence.

JUDGE: All right.

ATTY FOR BEARS: Pop A. Bear, after you discovered your porridge bowl empty, what did you do?

POP A. BEAR: I walked into my living room.

ATTY FOR BEARS: And what did you see?

POP A. BEAR:
My favorite Pop A. Bear chair that Mom A. Bear and Babe E. Bear gave to me for Father's Day last year.

ATTY FOR BEARS:
Did you say anything upon noticing that somebody has been sitting in your chair?

POP A. BEAR: Yes, I growled, "Somebody's been sitting in my chair!"

ATTY FOR BEARS: Then what did you do?

POP A. BEAR: Well, I was getting suspicious, so I went upstairs.

ATTY FOR BEARS: What did you notice upstairs?

POP A. BEAR: I noticed that my bed had been messed up

ATTY FOR LOCKS:
Your Honor, I object. We all know that Pop A. Bear never makes his bed, and that the bed just sits there until Mom A. Bear makes it in the morning. How do we know that the bed had not been messed up from Pop A. Bear's sleeping in it?

ATTY FOR BEARS: Pop A. Bear, did you make your bed that morning?

POP A. BEAR:
Yes. I made a special effort that morning to make the bed as a birthday present for Mom A. Bear.

ATTY FOR BEARS: And when you got back was the bed messed up?

POP A. BEAR: Yes, it was.

ATTY FOR BEARS: Did you say anything?

POP A. BEAR: Yes, I growled, "Somebody's been sleeping in my bed!"

ATTY FOR BEARS: Did you see anybody sleeping in your bed?

POP A. BEAR: No, I didn't. I went back downstairs.

ATTY FOR BEARS: Pop A. Bear, that's all the questions I have for you.

JUDGE: You may step down.
(Pop A. Bear gets off the witness stand.)

ATTY FOR BEARS: Next I will call Babe E. Bear to the stand.
(Babe E. Bear goes forward, raises her right paw and is sworn in.)

ATTY FOR BEARS: What is your name?

BABE E. BEAR:
(babyish tone) My name is Babe E. Bear. I live with My Mommy and Daddy Bear in a little cottage in (local place).

ATTY FOR BEARS: Do you go to school?

BABE E. BEAR:
Yes, I attend the (insert the name of particular school) in (insert the local city and state).

ATTY FOR BEARS: I see. And who are your teachers at pre-school?

BABE E. BEAR: My teachers are (insert name of teacher).

ATTY FOR BEARS: And do you always mind your teachers at pre-school?

BABE E. BEAR: Well, most of the time I do.

ATTY FOR BEARS: And have your teachers told you to close the door when you leave the room?

BABE E. BEAR:
Well, they are trying to teach me to do that, but sometimes I forget. You see, I am still a baby bear.

ATTY FOR BEARS:
On the day in question, did you go for a walk with your mommy and daddy in the forest?

BABE E. BEAR:
Yes, I did. The porridge was too hot and I could not eat it, so I thought we could go for a walk and see the birdies, the bunny rabbits and the other animals that live in the forest. I like to watch the birdies and the bunny rabbits. One time I even saw a deer in the forest.

ATTY FOR BEARS: When you got back from the forest what did you see?

BABE E. BEAR:
I went with my daddy to sit down to eat my breakfast, and when I sat down, my porridge bowl was empty.

ATTY FOR BEARS: And what did you say?

BABE E. BEAR:
(whines) I said, "Somebody's been eating my porridge, too, and they ate it all up!"
(Attorney takes bowl labeled Babe E. Bear and hands it to Court Reporter.)

ATTY FOR BEARS: Please mark this as Bear's Exhibit B.
(Attorney hands bowl to Babe E. Bear.)

ATTY FOR BEARS: And, is this you porridge bowl?

BABE E. BEAR:
Yes, it is. My grandma gave it to me when I was a tiny baby. I was just a little cub when she gave it to me. She gave it to me because she knew I liked to eat porridge for breakfast.

ATTY FOR BEARS:
And, is that the bowl that was empty when you came back into your house from your walk in the forest?

BABE E. BEAR: Yes, it is.
(Attorney hands bowl to Judge as Exhibit B.)

ATTY FOR BEARS: And then what did you do, Babe E. Bear?

BABE E. BEAR:
I went into my living room and I saw that my favorite chair was broken! Grandpa gave me the chair for my second birthday so that I could sit with Mom A. Bear and Pop A. Bear. I mainly used it when I watched television. You know, my favorite programs are Yogi Bear and football games between the Chicago Bears and the (insert name of local team). Of course, I had to root for the Bears.

ATTY FOR BEARS: Yes, I know. And when you saw your chair what did you say?

BABE E. BEAR:
I said, "Somebody's been sitting in my chair and they broke it!" I was really sad about my chair being broken, because it was my favorite.
(Attorney picks up broken chair and has it marked as Exhibit C.)

ATTY FOR BEARS: Babe E. Bear, is that your chair?

BABE E. BEAR:
(pouting) Yes, it is. I really feel sad because it's broken. Pop A. Bear was going to fix it, but he is very slow at doing these things sometimes. I guess Mom A. Bear will have to talk to him about it.

ATTY FOR BEARS: And then what did you do?

BABE E. BEAR: I went upstairs to my bedroom.

ATTY FOR BEARS: And did you make your bed on that morning?

BABE E. BEAR:
Yes, I did on that morning because it was Mom A. Bear's birthday. Daddy Bear and I wanted to surprise her because we sometimes, well, most of the time, forget to make our beds. Mom A. Bear scolds us for it.

ATTY FOR BEARS: I see. But you did make your bed that morning?

BABE E. BEAR:
Well, Daddy Bear helped me, but we made it, yes. I even put my little pillow neatly at the top of the bed.

ATTY FOR BEARS: And, when you went back upstairs, what did you see?

BABE E. BEAR:
(agitated) When I went back upstairs, my little pillow was gone! When I approached the bed I saw these golden locks. I then peeked under the covers and I saw a little girl, and I shouted, "Somebody's been sleeping in my bed, and there she is! It's a little girl!"

ATTY FOR BEARS: And, what did the little girl do?

BABE E. BEAR:
She got up and ran so fast that I hardly saw her. I just saw these golden locks as she ran out the door.

ATTY FOR BEARS: Is the little girl who was sleeping in your bed here today?

BABE E. BEAR:
Well, that little girl over there with the golden hair looks like her, but I really didn't get a very good view. It could be her.
(Attorney hands pillow that has been marked as Exhibit C to Babe E. Bear.)

ATTY FOR BEARS: Is this your pillow?

BABE E. BEAR: Yes, it is. My Aunt Cubby made it for me when I was a baby.

ATTY FOR BEARS: Babe E. Bear, you don't have golden hair, do you?

BABE E. BEAR: No, I don't. My hair is brown and furry like my Mommy and Daddy's.

ATTY FOR BEARS: There is golden hair on this pillow. Could that be Gold E. Locks' hair?

BABE E. BEAR: I guess so, it's not mine.

ATTY FOR BEARS: Very well, Babe E. Bear. Do you have anything further to say?

BABE E. BEAR:
Well, I don't blame the little girl for wanting to eat the porridge and Mommy can always make more porridge, but I wish she hadn't broken my chair. That really was my favorite chair.

ATTY FOR BEARS: Thank you, Babe E. Bear.
(Babe E. Bear gets down.)

ATTY FOR BEARS: Your Honor, that is all of our evidence. The Bears rest.

JUDGE: Very well. We will now hear Gold E. Locks' side of the case.

ATTY FOR LOCKS: Your Honor, as my first witness I will call Gold E. Locks.
(Gold E. Locks gets up, walks forward, raises her right hand to be sworn. Judge administers the oath. Gold E. Locks then sits down.)

ATTY FOR LOCKS: What is your name?

GOLD E. LOCKS:
My name is Golden Locks. I am also called Gold E. Locks. When I was born my mother said I had golden locks. And so from that day forward I have been known as Gold E. Locks.

ATTY FOR LOCKS: I see. You have very pretty gold locks.

GOLD E. LOCKS: Thank you.

ATTY FOR LOCKS: Where do you live?

GOLD E. LOCKS:
I live with my mother Locks, my father Locks, my little baby brother Locks, my kitty cat Spook Locks and Funny Locks at (insert local address). Oh, yes, I also live with my dog, Melissa Locks. Melissa needs a haircut right now.

ATTY FOR LOCKS: Do you know someone named Babe E. Bear?

GOLD E. LOCKS:
Oh, yes, Babe E. Bear and I see each other quite often while walking in the forest. I like to walk through the forest and pick flowers. I also like to watch the bunny rabbits and deer in the forest. Babe E. Bear and I also attend the same pre-school, that is (insert the name of a local school). My mommy takes me every day in the station wagon to pre-school. Sometimes I take some of the flowers I have picked in the forest with me.

ATTY FOR LOCKS: And, are your teachers also (insert name of teacher).

GOLD E. LOCKS:
Yes, they are. We play games and play in the toy kitchen and sing and have a snack.

ATTY FOR LOCKS:
And, I'm, sure your teachers, along with your mother and father, have told you never to go into a strange house.

GOLD E. LOCKS:
Yes, they have. But sometimes I forget, especially when the porridge smells so good!

ATTY FOR LOCKS:
Now Gold E., on the day in question, were you out walking in the forest?

GOLD E. LOCKS:
Yes, I was. I was out picking flowers in the forest early one fall morning. I like to go out early in the morning because that's when I see the most bunny rabbits and sometimes I even see a deer.

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ATTY FOR LOCKS: And, as you were walking in the forest what did you smell?

GOLD E. LOCKS:
I smelled the yummiest porridge coming from a house in the forest. I followed my nose until I came to a brown house that had the name "Bear" on the front. I knocked on the door, but I did not see anybody at home. The smell was so good and I had not had any breakfast that morning since Mommy does not fix breakfast until I get back from my morning walk. In fact, sometimes she even goes with me.

ATTY FOR LOCKS: I see. And then what did you do?

GOLD E. LOCKS:
I knocked on the door several times but nobody answered. As the door was open, I figured that the people who lived in the house must be close by.

ATTY FOR LOCKS: Did you enter the house?

GOLD E. LOCKS:
Yes, I did, but the door was wide open. I followed my nose right to the kitchen. There I saw three bowls of porridge.

ATTY FOR LOCKS: When you saw the three bowls of porridge, what did you say?

GOLD E. LOCKS: I said, "Oh, my, porridge!"

ATTY FOR LOCKS: Then what did you do?

GOLD E. LOCKS:
I tasted some porridge from Papa Bear's great big bowl. It was too hot. Then I tasted the porridge in Mom A. Bear's medium sized bowl, but it was too cold. Then I tasted some porridge in Babe E. Bear's bowl. It was just right, and I was so hungry I ate it all up.

ATTY FOR LOCKS: Were the Bears in the house while you were eating the porridge?

GOLD E. LOCKS:
No, but I figured they must be nearby. I guess I got so excited eating the porridge that I forgot about the Bears.

ATTY FOR LOCKS: Then what did you do?

GOLD E. LOCKS:
Well, my tummy was so full of yummy porridge that I went into the living room to thank the person who had made the porridge and to tell her how good the porridge was. My mother said I always should say thank you when somebody does something nice for me.

ATTY FOR LOCKS: Did you find anybody?

GOLD E. LOCKS:
No, I didn't. So I decided to sit down in a chair to wait for the person to come home so I could tell her how good the porridge was. I wanted her to give me the recipe so I could give it to my Mommy. My Mommy makes good porridge but it doesn't taste quite as good as the porridge I had at the Bears' house. I think it's the pawfuls of raisins that make it taste so good.

ATTY FOR LOCKS: Did you sit down?

GOLD E. LOCKS:
Yes, I did. In fact I sat in this great big chair. But it was too hard and too big. I did not feel comfortable in it. It looked like a papa's chair. My daddy has one like it at home. Then I sat in a smaller chair, but it was too soft. It was kind of like the chair my mommy sits in at home. Then I sat down in this little chair which seemed to be just right.

ATTY FOR LOCKS: What happened when you sat in the chair?

GOLD E. LOCKS:
It broke. But I think the chair was already broken when I sat in it and that it was just sitting there as a decoration. As little as I weigh I am sure my weight would not have broken it if it had not already been broken. I was really sad when I saw the broken chair.

ATTY FOR LOCKS: Then what did you do?

GOLD E. LOCKS:
I was so sad when I saw the broken chair that I decided to go upstairs and wait for the Bears to come home so I could tell them about it. I went into a room that was decorated a lot like my room at home and sat down on a bed to wait for the Bears to come home. I think I was crying a little bit too, about breaking the chair. Well, the bears did not come home right away and I must have closed my eyes to wait for them. I fell asleep on Babe E. Bear's bed. The next thing I remember before I fell asleep on Babe E. Bear's bed was that I also tried Pop A. Bear's bed and Mom A. Bear's bed. But they were too hard. I guess I messed their beds up a little bit too, although Pop A. Bear's bed had not been made very well. It looked like he did it himself.

ATTY FOR LOCKS: What do you remember next?

GOLD E. LOCKS:
The next thing I remember there were three bears standing around me. Pop A. Bear looked very, very mad and he said, "Somebody's been sleeping in my bed!" Then I heard Mom A. Bear say, "Somebody's been sleeping in my bed!" I was so frightened that I got up and ran right out the door to my mother.

ATTY FOR LOCKS:
Gold E. Locks, as I recall your testimony, you ate the porridge because it smelled so good and you were hungry. You had not knocked the door down, but walked in the open door thinking the people would not care. The chair was broken when you sat down to wait for the maker of the porridge to tell her how good the porridge was, and you accidentally fell asleep on the bed.

GOLD E. LOCKS: That's right.

ATTY FOR LOCKS: You didn't mean anybody any harm did you, Gold E. Locks?

GOLD E. LOCKS:
Of course not! It looked like such a friendly house and I knew that Babe E. Bear lived there. I see her at pre-school many times. She even told me that sometime I should come over and have some porridge with her because her mother made it so good! I really didn't mean to harm anything and I'm really sorry about the chair, but I still don't think I broke it.

ATTY FOR LOCKS:
Thank you, Gold E. That's all the questions. Next I will call Mrs. Locks to the stand.
(Mrs. Locks goes forward and is sworn in.)

ATTY FOR LOCKS: What is your name?

MRS. LOCKS: My name is Curl E. Locks.

ATTY FOR LOCKS: Where do you live, Mrs. Locks?

MRS. LOCKS: We live at (insert localized address).

ATTY FOR LOCKS: And are you the mother of Gold E. Locks?

MRS. LOCKS: Oh, yes, I am. She is my little girl.

ATTY FOR LOCKS: What kind of a little girl is Gold E. Locks?

MRS. LOCKS:
Gold E., essentially, is a good little girl. She is mischievous like most little girls, but she tries to always do the right thing. Sometimes she forgets. I do have one trouble with her and that is that she likes to wander through the forest picking flowers. She tells me that she likes to look at the bunny rabbits and the deer. Most of the time I go with her but on the morning in question I was getting ready for a bridge club meeting.

ATTY FOR LOCKS: You say Gold E. is essentially a good girl. Does she say please?

MRS. LOCKS: Most of the time.

ATTY FOR LOCKS: And does she say thank you?

MRS. LOCKS:
Oh, I have taught her to say thank you and her teachers at school have taught her to say thank you, and she says thank you most of the time when she remembers. But like most little girls, sometimes she forgets.

ATTY FOR LOCKS: Does she help you with the dishes?

MRS. LOCKS:
Well, most of the time. But sometimes, especially when the Muppets are on television, she runs downstairs and watches television and forgets to help me with the dishes. But I understand -- especially when the Muppets are on television. That's her favorite show, you know.

ATTY FOR LOCKS: Does she attend pre-school?

MRS. LOCKS:
Oh yes. She goes to (insert local school) every day. She enjoys the music and swinging on the swings and the art classes and all the activities. She's really excited about her pre-school.

ATTY FOR LOCKS:
Well, this trial is about Gold E. Locks having bad manners. Do you think she has bad manners?

MRS. LOCKS:
Oh, goodness no! She does forget occasionally like most little girls do but I know she tries to use good manners. I think the only reason she went into the Bear's house was because the porridge smelled so good. And after she ate the porridge she simply wanted to stay there until the Bears returned to tell them how good the porridge was. She certainly didn't intend any harm and I know that she didn't mean to break the chair. But Gold E. has told me that the chair was already broken when she sat in it. You know she's not very big and I don't think she could break the chair.

ATTY FOR LOCKS: Where is Mr. Locks today?

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MRS. LOCKS:
Oh, he wanted to be here, but he had a very important meeting. He's a lawyer, you know, and lawyers are always going to very important meetings -- at least that's what he tells me. I'm sure he would say the same thing about Gold E. Locks if he were here.

ATTY FOR LOCKS: Is there anything else you would like to say, Mrs. Locks?

MRS. LOCKS:
Well, we're sorry that the Bears were inconvenienced, but if they would like to come to our house for breakfast I would be glad to fix them some of my porridge. Maybe Mrs. Bear could even show me how she makes it so yummy.

ATTY FOR LOCKS: Thank you, Mrs. Locks, you may step down.
(Mrs. Locks steps down.)

JUDGE: Are there any summaries?

ATTY FOR BEARS:
Your Honor, we have shown that Gold E. Locks, without being invited, walked into the Bear's home, ate Babe E. Bear's porridge, broke Babe E. Bear's chair, and slept in her bed. She did all of this without being invited and I certainly think that meets the test of bad manners. Even though Gold E. Locks knew better, that is no excuse. I'm sure the jury agrees that one who displays good manners does not do such things.

ATTY FOR LOCKS:
Your Honor, we have shown that Gold E. Locks is basically a good little girl. She has said that she meant no harm in going into the house, and the door was open. The porridge was so good that she could not resist it and after she ate the porridge she merely wanted to wait for the Bears to come home to thank them. She didn't mean to break Babe E. Bear's chair, and in fact there is no real evidence that she broke the chair. I think the chair was broken when she sat in it. She certainly is not big enough to have broken the chair. She is sorry she fell asleep in the bed, but she was merely waiting for the Bears to come home so she could thank them and to ask them how they make the yummy porridge. She certainly did not display any bad manners; in fact she showed good manners by waiting to thank the bears.

JUDGE: Thank you. Does that conclude the evidence?

ATTORNEYS: (both) Yes, it does.
(Judge turns to jury)

JUDGE:
You now have heard the evidence. Now it is your job to decide whether Gold E. Locks has bad manners. Will you please go with the Bailiff to the jury room and after you have decided, would you please come back and inform the Court whether Gold E. Locks showed bad manners by entering the house of the three bears and eating the porridge, sitting in Babe E. Bear's chair, and sleeping in Babe E. Bear's bed.
(Bailiff takes the jurors to the jury room. After a while, jurors come back with a verdict.)

JUDGE: Have you reached a verdict?
JUROR: Yes, we have, your Honor.
JUDGE: What is that verdict?
JUROR: The jury has voted and has determined that ....

After the jury has rendered its verdict, you may wish to ask the jurors what it was that convinced them of the guilt or innocence of Gold E. Locks. What arguments were especially persuasive and which witnesses seemed to be telling the truth.

People v. Dorothy Gale - A mock trial script appropriate for 3rd through 6th grade students. This mock trial script was developed by Donna Schmidt, a teacher at Providencia School, Burbank, California and is printed with permission.

People v. Dorothy Gale is the story of the little girl from Kansas, and more notably from "The Wizard of Oz," who is put on trial for the murder of the Wicked Witch of the West. Method of murder? Water-soaking. Witnesses include the Scarecrow, the Palace Guard, the Wizard of Oz and Dorothy herself. Toto was not named as a co-conspirator in the murder.

THE SCRIPT

JUDGE: At this time, the Prosecution may make an opening statement if it so desires.

Prosecutor:

Thank you, your Honor. May it please the Court. Ladies and gentlemen, at this time I will be making my opening statement to you. My opening statement and the opening statement of the defense attorney are made for the purpose of telling you what each of us believe the evidence of this case will show. What I say and what the defense attorney says at this time is not evidence. Instead, it is what we believe the evidence will show. In other words, our opening statements are designed to help you understand the evidence which will be presented.

The Prosecution believes that the evidence will show that Dorothy is guilty of murdering the Witch of the West. The testimony will show that Dorothy, along with her three adventuring friends, was willing to do anything to get what she wanted. Dorothy has stated repeatedly that she would have done anything to go home. We believe that the evidence will show that Dorothy was even willing to murder to get home.

The first witness we will call will be the former Wizard of Oz. The Wizard will testify that he was approached by the Defendant, Dorothy Gale, and her three friends and that they readily accepted the task of murdering the Witch of the West. The Wizard will tell you that Dorothy knew and gladly accepted the challenge of killing the Witch and that she went to the Witch's castle with the intent of killing the Witch.

We will also call as a witness, the Witch of the West's security guard, the Evil Troll. The Troll will testify that there had been an ongoing dispute between the Witch of the West and Defendant, Dorothy, regarding a pair of Ruby Slippers. A pair of slippers which rightfully belonged to the Witch of the West. The Troll will testify that the Witch's castle was invaded by Dorothy and her three friends and that Dorothy drenched the Witch with a pail of water knowing full well that water is deadly to Witches. The Troll will also testify that once Dorothy had slain and murdered the Witch, she was so glad that she left the castle triumphantly singing "Ding Dong the Witch is Dead."

We believe that the evidence will show you that Dorothy went to the Witch's castle for the sole purpose of killing the Witch and that she, in fact, did kill the Witch. At the close of all evidence, we, the Prosecution, will be asking the jury to return a verdict against the Defendant, Dorothy Gale, finding her guilty of the crime of murder.

JUDGE: (To the defense attorney) You may now make an opening statement, if you so desire.

Defense Atty.:

Thank you Your Honor. My name is _____ and I am presenting Dorothy's defense in this case. Like the Prosecutor told you, our opening statements are not evidence. The only facts which you can consider in making your decision are the facts which you hear from the witness stand today. You may not consider anything other than the testimony that you hear today in this courtroom.

We, the Defense, believe that the evidence will show you that Dorothy did not intend to kill the Witch of the West. Instead, when Dorothy threw the pail of water, she merely tried to save the life of her friend the Scarecrow. The evidence will show you that the Witch of the West had lit the Scarecrow's arm on fire and that he was burning up when Dorothy reached for the water. When Dorothy threw the pail of water, her intent was to save the Scarecrow.

We, the Defense, do not believe that Dorothy's act of saving the Scarecrow in any way makes her guilty of murdering the Witch of the West. We believe that once you have heard all of the evidence from the witness stand today, you will find Dorothy not guilty of the charge of murder.

JUDGE:

This concludes the opening statements of the Attorneys. At this time, the Prosecution may call its first witness.

Prosecutor:

Your Honor, the Prosecution calls Mr. Willard O. Oz as its first witness. (witness is sworn by clerk and is seated) Please state your name?

Mr. Oz: My name is Willard O. Oz

Prosecutor: What is your occupation?

Mr. Oz:

I used to be the Wizard of the Province of Oz, but now I sell potions and various tonics out of my travelling cart in the state of Kansas.

Prosecutor: Are you familiar with the Defendant, Dorothy Gale?

Mr. Oz:

Well, I wasn't until about three months ago. While I was in my Wizard Room, Dorothy and three of her friends approached me. I had heard of Dorothy before and had been told that she had just killed the Witch of the East.

Defense Atty.:

Objection, Your Honor! This is hearsay. The witness does not know whether or not Dorothy killed the Witch of the East!

JUDGE:

I agree. The Objection is sustained. A witness cannot testify to events that he or she has only heard about. A witness must have first-hand knowledge of events if the witness is to testify about those events. (To Prosecution) You may proceed.

Prosecutor: Please tell us about your first meeting with the Defendant, Dorothy Gale.

Mr. Oz:

Like I was saying, Dorothy and three of her friends, the Straw Man, The Tin Man, and the Lion, approached me. They all seemed to want me to do them some kind of favor.

Prosecutor: What kind of favors were they asking for?

Mr. Oz:

Very strange favors indeed. The Straw Man wanted a brain, but it was obvious he already had one. The Tin Man wanted a heart, but it was clear to me that he already cared for other people. And, the Lion wanted courage, even though he was brave enough to approach me. Dorothy's request was the strangest one of all. She stated that she wanted to go home. But, she was wearing the Ruby Slippers. Everyone knows that the person who wears the Ruby Slippers can go anywhere they want, just by wishing.

Prosecutor:

Did you think that Dorothy and her three friends were really wanting something other than their requests?

Mr. Oz:

Oh, definitely. In the Province of Oz, whoever kills a Wicked Witch is instantly a public hero. A Witch slayer is vastly rewarded.

Prosecutor: Did you suggest to Dorothy that she murder the Witch of the West?

Mr. Oz:

No, I did not. I told Dorothy that I would grant her favors if she brought me the Witch's broomstick. After I told Dorothy and her three adventuring friends that I wanted the broomstick, they left.

Prosecutor: Did you see Dorothy and her three co-conspirators again?

Defense Atty.:

Objection, Your Honor! Dorothy is presumed to be innocent of these charges. Referring to her as a conspirator should not be allowed.

JUDGE:

I agree. The Objection is sustained. When a Defendant is placed on trial, that person is considered to be innocent of the charges brought against him or her. Once trial has begun, the law considers the person placed on trial innocent until a jury determines otherwise. (To prosecutor) You may proceed.

Prosecutor: Did you see Dorothy and her three companions again?

Mr. Oz:

As a matter of fact, I did. The very next day, Dorothy and her three companions came to my Wizard Chamber carrying the Witch's broom. Dorothy proudly announced "We melted the Witch of the West." I knew at that point that the four of them had killed the Witch.

Prosecutor: What, if anything, did Dorothy do then?

Mr. Oz: She demanded payment. Since she had killed the Witch, she asked me to take her home.

Prosecutor: I have no further questions at this time.

JUDGE: (To defense attorney) You may cross-examine.

Defense Atty.: Mr. Oz, isn't it true that you were forced to resign from your position as Wizard?

Mr. Oz:

Well, yes, it is. After Dorothy had killed the Witch, there was such a scandal that I was forced to resign.

Defense Atty.:

Isn't it true that the reason for this scandal is that you were blamed for the death of the Witch?

Mr. Oz:

Well, yes. Certain people were blaming me but it wasn't my fault. I never thought that Dorothy would actually go and kill the Witch!

Defense Atty.:

Isn't' it also true, Mr. Oz, that the Prosecution has agreed not to prosecute you for the murder of the Witch in exchange for your testimony against Dorothy today?

Prosecution:

Objection, Your Honor! None of this is relevant to whether Dorothy is guilty of the murder of the Witch of the West.

JUDGE:

I disagree. Your objection is overruled. An attorney may ask the witness questions that would show reasons why a witness might not be telling the truth. The question regarding the Prosecution's agreement not to prosecute the Wizard is a valid and good question. (To the witness) You may answer the question.

Mr. Oz:

Well, yes. The Prosecution told me that if I testified against Dorothy here today, I would not be charged with causing the Witch's death.

Defense Atty.: So, in other words, by testifying against Dorothy, you get off scott free?

Mr. Oz: Well, yes. I suppose that might be true. But I am telling the truth here today.

Defense Atty.: I have no further questions at this time.

JUDGE: (To Prosecution) you may call your next witness.

Prosecutor:

The Prosecution calls Evil Troll as its next witness. (Evil Troll is sworn by the Clerk and is seated) Please state your name and occupation.

Troll:

I am Evil Troll. I used to be head of security at the Witch of the West's castle, but since her death, I've been unemployed. Not many people are looking for a security troll these days.

Prosecutor: Are you acquainted with the Defendant, Dorothy Gale?

Troll: Yes, I am. Dorothy was a guest at the Witch of the West's castle about three months ago.

Prosecutor: Do you know why she was a guest at the castle?

Troll:

Yes. There was a dispute between the Witch of the West and Dorothy over the ownership of a pair of Ruby Slippers. Dorothy had taken a pair of Ruby Slippers from the Witch of the East after Dorothy's house had smashed that Witch.

Prosecutor: Did you know who the Witch of the East was?

Troll: Sure. Everyone knows that the Witch of the East was the Witch of the West's sister.

Prosecutor:

Do you know whether the Witch of the West wanted her sister's Ruby Slippers returned to her?

Troll:

Why of course she did. They were her sister's prize possession. She wanted them for sentimental reasons.

Prosecutor: Did the Witch of the West ask Dorothy to return the Slippers?

Troll:

Absolutely. But, Dorothy flatly refused. When the Witch of the West tried to touch the Ruby Slippers, Dorothy used their magic to shock the Witch of the West.

Prosecutor: Did the Witch of the West do anything else to get the Slippers?

Troll:

Yes. She tried to scare Dorothy a little bit by sitting her in a room and telling her that she had one hour to turn the slippers over. The Witch even set out an hourglass to tell when the time was up.

Prosecutor: What happened at the end of that hour?

Troll:

Well, there was a whole lot of confusion. The castle was suddenly invaded by the Straw Man, the Tin Man and the Lion. There was a lot of confusion and that's when it happened.

Prosecutor: That's when what happened?

Troll: Well, Dorothy grabbed a pail of water and threw it on the Witch.

Prosecutor: Is water fatal to Witches?

Troll: Why, yes. Everyone in Oz knows that water will melt a Witch!

Prosecutor: After Dorothy killed the Witch, did she do anything else?

Troll:
Yes, she took the broomstick from what was left of the Witch of the West and marched out of the castle singing "Ding Dong the Witch is Dead."

Prosecutor: I have no further questions.

JUDGE: (to Defense atty.) You may cross-examine the witness.

Defense Atty.:
Didn't the Witch of the West, in fact, threaten to kill Dorothy if she did not turn over the Ruby Slippers?

Troll:
Well, yes. But she didn't really mean it. She was just trying to scare Dorothy into turning the Slippers over.

Defense Atty.:
And isn't it true that the Witch of the West told Dorothy that she was going to kill Dorothy's little dog, Toto, as well?

Troll:
Well, yes. The Witch did say those things, but she was very upset. You realize that the Slippers rightfully belonged to the Witch of the West and Dorothy just wasn't giving them back.

Defense Atty.:
And then the Straw Man, whom we also know as Scarecrow, the Tin Man and the Lion came into the castle, isn't it true that the Witch set the Straw Man, on fire?

Troll:
She did, but all the Witch of the West was really trying to do was to scare Dorothy into turning the Ruby Slippers over.

Defense Atty.:
And wasn't Dorothy only trying to put out the fire on the Straw Man when she threw the water?

Prosecutor:
Objection! The witness has no way of knowing what Dorothy was thinking when she threw the water.

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JUDGE:

I agree. This objection is sustained. A witness cannot testify about what another person might have been thinking. A witness can only testify about facts and cannot speculate about what another person's thoughts might be.

Defense Atty.: When Dorothy threw the water, was the fire on the Straw Man put out?

Troll:

Yes, it was. The fire was completely extinguished but the poor Witch of the West was completely liquidated.

Defense Atty.: I have no more questions.

JUDGE: (To the Prosecution) You may call your next witness.

Prosecutor: The Prosecution rests its case, Your Honor.

JUDGE: (To the defense atty.) You may call your first witness.

Defense Atty.:

The Defense calls the Scarecrow as its first witness. (Scarecrow is sworn by the clerk and is seated) Please tell us your name and how you are employed.

Scarecrow:

I am the Scarecrow. I am currently employed by the University of Oz as Professor of Philosophy. After the former Wizard gave me a diploma, I became qualified to teach in all areas of higher learning.

Defense Atty.: Do you recall how you first met Dorothy?

Scarecrow:

Quite vividly. I was just hanging around the Yellow Brick Road and Dorothy just happened to pass by. She helped me down from my post and the two of us went off to find the Wizard of Oz.

Defense Atty.: On your way to find the Wizard, did anything strange happen?

Scarecrow:

Why, yes. Something terrible happened. The Wicked Witch of the West flew in on her broom and told Dorothy that she would kill her unless Dorothy gave up the Ruby Slippers.

Defense Atty.: Did the Witch do anything else?

Scarecrow:

Yes. She threw a fireball straight at me. Fortunately, I jumped out of the way, but fire is the one thing that really burns me up.

Defense Atty.: Did you, in fact, visit the Wizard of Oz?

Scarecrow:

Yes, we did. Dorothy, the Tin Man, the Lion and I all went to the Wizard Chambers. The Wizard told us that he would grant our wishes if we brought him the broomstick of the Wicked Witch of the West.

Defense Atty.: Did the four of you try to get the broomstick from the Witch of the West?

Scarecrow:

Well, we started to, but on the way Dorothy was kidnapped and taken prisoner by the Witch's palace guard. At that point, the Tin Man, the Lion and I only wanted to get Dorothy out of the Witch's castle alive.

Defense Atty.: What did you do to get Dorothy out of the castle?

Scarecrow:

Well, we took some clothes from the Witch's palace guard and snuck in. After we got there, the Witch found us and told Dorothy that she was going to kill me, the Tin Man, the Lion and then Dorothy last.

Defense Atty.: Did the Witch do anything to make you think she was going to kill you?

Scarecrow:

She certainly did! She lit my arm on fire and I started to burn up in a hurry. You know that dry straw doesn't last long once it's lighted.

Defense Atty.: Will you please tell us what happened next?

Scarecrow:

Well, it was pretty clear that I would not have lasted long with my entire arm on fire, so Dorothy grabbed a pail of water and threw it on my arm to put the fire out. My arm was saved but some of the water splashed the Wicked Witch of the West in her face and she melted right there on the spot. That's how it all happened. I swear it's the truth.

Defense Atty.: I have no more questions of this witness.

JUDGE: (To Prosecutor) you may cross-examine.

Prosecutor:
Didn't you know that it would be difficult to get the Witch of the West to give up her broom?

Scarecrow:
Yes. When the Wizard asked us to bring him the broom of the Witch of the West, I knew that we had our work cut out for us.

Prosecutor:
You, in fact, stated that your group would have to kill the Witch in order to get her broomstick, didn't you?

Scarecrow: Well, yes. I did say that. But, we really didn't want to kill her.

Prosecutor: You, in fact, knew that Dorothy desperately wanted to got home?

Scarecrow:
That's true. She wanted to get home. And Dorothy would have done almost anything to get back home. She knew that her Aunt Em was very worried.

Prosecutor: Dorothy, in fact, was even willing to go into the Witch's castle to get the broomstick?

Scarecrow: Oh, yes. She wanted to go home that badly.

Prosecutor:
And you knew that to get the broomstick from the Witch, the Witch would, in fact, have to be killed.

Scarecrow:
Well, that is was I thought, but I was hoping that we could get the broomstick without killing the Witch...or having her kill us!

Prosecutor:
Did either you or Dorothy call an ambulance for the Witch after she was struck with the water?

Scarecrow: No, we thought that it was too late.

Prosecutor:
But it wasn't too late to grab her broomstick and take it to the Wizard of Oz, was it?

Defense Atty.:
Objection! The Prosecution is not asking questions. He/She is arguing with the witness.

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JUDGE:

I agree. The objection is sustained. An attorney may only ask a witness questions. The attorney may not argue with the witness.

Prosecutor: I have no further questions.

JUDGE: (To Defense Atty.) You may call your next witness.

Defense Atty.:

The Defense calls the Defendant, Miss Dorothy Gale. (Dorothy is sworn by the clerk and is seated) Could you please state your name for the record?

Dorothy: My name is Dorothy Gale. I am just a farm girl from Kansas.

Defense Atty.: When you arrived in the Land of Oz, did you happen to meet the Good Witch of the North?

Dorothy:

Yes, I did. She was very beautiful. She came down and waved her magic wand and suddenly I was wearing the Ruby Slippers.

Defense Atty.: Did you know what the Ruby Slippers were or to whom they belonged?

Dorothy:

No, not really. I think that they came from the Witch of the East, but I wasn't sure. All I know is that the Good Witch of the North told me that I was never supposed to take the Ruby Slippers off my feet.

Defense Atty.:

Was there anything particular that you wanted after you found yourself in the Land of Oz?

Dorothy:

Yes, there was. I wanted to go home. The people in the Land of Oz are really nice. But what I really wanted was my family. I knew that Aunt Em would be very worried about me.

Defense Atty.: Did you ask anyone about how to get home?

Dorothy:

Well, yes, I did. I asked the Munchkins and they told me that I would have to talk to the Wizard of Oz. I started following the Yellow Brick Road and along the way I met the Scarecrow, the Tin Man and the Lion. We all then went to the Emerald City and asked for an audience with the Wizard of Oz.

Defense Atty.: Did the Wizard actually give us an audience?

Dorothy:
Yes, he did. We were all very afraid because the Wizard's chamber was very dark and there was a lot of fire and noise.

Defense Atty.: Did the Wizard tell you that he would help you get home?

Dorothy:
Yes, he did. But he said he wanted us to do him a small favor before we could go home. He asked that we bring him the broomstick of the Witch of the West.

Defense Atty.: Did you think that getting the Witch's broomstick would be an easy task?

Dorothy:
Oh, no. Not at all. I had met the Witch before and she had been very mean to me. But, I really wanted to go home so I was going to try to get her broomstick.

Defense Atty.: How did you finally arrive at the Witch's castle:

Dorothy:
Well, the four of us started off by walking toward the castle but then all of a sudden the Witch's palace guards swooped me up into the sky and carried me to the castle.

Defense Atty.: What happened at the castle?

Dorothy:
Well, the Witch told me that she wanted the Ruby Slippers and told me that she would kill Toto, my dog, unless I gave them to her. I told the Witch that she could have the slippers, but when she tried to take them, the Slippers gave the Witch a magic shock.

Defense Atty.: What did the Witch do then?

Dorothy:
The Witch became very upset and said that the only way to take the Slippers was to kill me. She set an hourglass and told me that at the end of the hour she would kill me.

Defense Atty.: What happened at the end of that hour?

Dorothy:
The Scarecrow, the Tin Man and the Lion had somehow managed to get into the castle to rescue me. The Witch found the four of us and screamed that she would kill all of us.

Defense Atty.: What did the Witch do?

Dorothy:

The Witch took a torch and lit the Scarecrow on fire. The Scarecrow started screaming and I knew that I had to do something fast or else he would burn up. I grabbed a bucket of water and I threw it at the Scarecrow to put out the fire and save him.

Defense Atty.: Did something happen to the Witch?

Dorothy:

Yes, it did. Some of the water I threw on the Scarecrow splashed on the Witch and she melted right before our very eyes. I really didn't understand what was happening until she was nothing but a puddle on the floor!

Defense Atty.: Did you intend to harm the Witch?

Dorothy: Absolutely not! The only thing I was trying to do was put out the fire on the Scarecrow.

Defense Atty.: I have no further questions.

JUDGE: (To Prosecutor) You may cross-examine.

Prosecutor: You desperately wanted to go home, didn't you?

Dorothy:

Well, yes I did. I was very far from my family and I knew that Aunt Em had to be very worried about me.

Prosecutor:

You, in fact, wanted to go home so badly that you were willing to break into the Witch's castle.

Dorothy:

Well, I don't know if we were going to break in or not. All I knew was that if I wanted to get home, we would have to get the Witch's broomstick.

Prosecutor:

And isn't it a fact that you knew that you would have to kill the Witch in order to get her broomstick?

Dorothy:

Well, the Scarecrow said that we might have to kill the Witch in order to get the broomstick, but I didn't want to kill the Witch. I just wanted to get home.

Prosecutor: And, isn't it a fact that you knew that water is deadly to Witches?

Dorothy:
Well, yes. I did know that water would melt a Witch. But, when I threw the water, the only think that I was trying to do was put out the fire on the Scarecrow.

Prosecutor: And, after you melted the Witch, didn't you take the broomstick?

Dorothy:
Yes, I did. We took the broomstick because we knew that the Wizard wanted it and that it would help me get home.

Prosecutor:
And you knew that the Wizard would not grant your wish unless you brought him the broomstick?

Dorothy: I suppose that's true.

Prosecutor: When you left the Witch's castle, you were, in fact, singing, weren't you?

Dorothy:
Well, yes. Everyone started singing "Ding Dong the Witch is Dead" and I suppose I sang along.

Prosecutor: I have no further questions.

JUDGE:
Ladies and Gentlemen of the Jury. At this time all of the evidence of this case has been presented. The only evidence which you may consider in making your decision today is the evidence which you have heard from the witness stand here in the courtroom. The remarks of the Attorneys at the beginning of the case and at the end of the case are not evidence. These statements are merely their arguments concerning what they believe the evidence has shown. At this time, I will give both Attorneys the opportunity to make a closing statement so that they can tell you what they believe the evidence has shown.

Prosecutor:
Thank you, your Honor. Ladies and Gentlemen, we have heard here today overwhelming testimony that Dorothy is a young woman who desperately wanted to go home. The Wizard of Oz, the Scarecrow, and even Dorothy herself have told you that she would have done just about anything to get back to Kansas. She was willing to risk her life and the lives of her three friends to break into the Witch's castle and when she set out to steal the Witch's broomstick, she knew that she would have to kill the Witch in order to take the broomstick.

Her friend, the Scarecrow, has testified that he knew the Witch would have to be killed if Dorothy were to take the broomstick. The Wizard of Oz has testified that he knew that the Witch would have to be killed if Dorothy were to take the broomstick...and you, the Jury, know that Dorothy knew that to take the broomstick from the Witch, that she would also have to kill the Witch.

Perhaps none of you here today liked the Witch of the West. That does not matter. Whether the Witch was a good or bad person should not influence your decision here today. The only facts that matter are whether the evidence shows that Dorothy intentionally killed the Witch of the West. We all know why Dorothy went to the castle. She went to get the broom and it didn't matter to her what she had to do or whom she had to kill to get it. Dorothy wanted to go home. And, the life of the Witch was the price of her ticket.

Defense Atty.:
Ladies and Gentlemen. The Prosecution would have you believe that Dorothy went into the Witch's castle and then proceeded to murder her. You have all seen from the evidence that this is not what happened. You have heard from the evidence that Dorothy was, in fact, kidnapped and taken hostage by the Witch. She was dragged to the Witch's castle and the lives of her friends, and her dog Toto, and even her own, were threatened by the Witch. The Witch made sure that Dorothy knew that her young and innocent life was about to end.

When the Lion, the Scarecrow, and the Tin Man came to Dorothy's rescue, there was confusion in the castle. The testimony has shown you that the Witch intentionally lit the Scarecrow on fire. The Scarecrow was burning and would have quickly died, but Dorothy's quick thinking saved him. When she grabbed the pail of water, her only purpose was to save the Scarecrow, her friend, from a fiery death. Yes, the Witch of the West was killed, but when Dorothy threw the water, she did not intend to kill the Witch. She only meant to save the Scarecrow.

We believe that the evidence is clear that Dorothy cannot be guilty of murder for saving the life of her friend.

JUDGE: At this time, the Prosecution has the right to make a short rebuttal argument. Since the Prosecutor has to prove his or her case, the Prosecutor is given two opportunities to speak at the close of the trial.

Prosecutor: Thank you, your Honor. The Defense would have you believe that Dorothy was only trying to save the life of the Scarecrow. If that were true, why then did Dorothy take the broomstick? Why did Dorothy march out of the castle happily singing "Ding Dong the Witch is Dead?" The evidence has shown that Dorothy went to the castle intending to kill the Witch, and that she did, in fact, succeed in killing the Witch...and she was glad that she had killed the Witch of the West. When you, the Jury, look at all of the evidence, you will see that the Defendant, Dorothy Gale, is guilty of the crime of murder.

THE END.

(K-5 lessons)

LESSON TOPIC: (#3) "Miscellaneous" law-related lessons
LESSON TITLE: "The Chocolate Drop Cookies"
STUDENT MATERIALS: "The Chocolate Drop Cookies" handout drawing paper and crayons.
DIRECTIONS:

1. (Teacher) Have students read: "The Chocolate Drop Cookies" aloud.

2. (Teacher) Ask: What is the problem in this story? What does Kevin think about the cookies? Why? What does Kim think about the cookies? Why? What do you think they should do? (What would be fair?) Are there any questions you want to ask Kim or Kevin?

3. (Teacher) Ask: Can you think of any reasons Kevin might have had for being late (e.g., had to help his mother at the last minute, had to be at a school baseball game, forgot, etc.)?

Select children to role-play Kim and Kevin. Have Kim ask Kevin why he was late. Let Kevin decide what the reason was and respond. Kim should decide what to do and why.

4. (Teacher) Have each child draw a conclusion for the story that they think would be fair. Each should explain to a partner what is happening in their picture and why. Tape the drawings to the blackboard.

5. (Lawyer/Judge) Start by summarizing some of the ways in which people resolve conflicts (e.g., by talking it over, compromising, asking someone to help them decide, flipping a coin, etc.) Refer to their drawings and point out how the students' resolutions to the chocolate drop cookies problem fit into these categories.

Explain that sometimes when people can't solve their problems in any of these ways, they go to court in order to solve them. Tell students how lawyers and judges try to help find a fair solution to their disagreements and problems, as well as the difficulties they may encounter in doing so.

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THE CHOCOLATE DROP COOKIES

All the children on the block loved Ms. Jones. She often let children visit her. She told them stories and played games with them. Sometimes she would even let them bake wonderful cookies and cakes with her. Kim and her best friend, Kevin, loved to bake with Ms. Jones. Even more, they loved good things to eat. Ms. Jones had only one rule about their baking projects. Only children who helped with the baking and cleaning up could eat the good things that came out of the oven.

One day when Kim and Kevin were visiting Ms. Jones, Kevin said, "Mmmmm! I would like some cookies!"

Ms. Jones said, "I am sorry, Kevin. I have to leave the house very soon, but tomorrow afternoon I'll be home at 2 o'clock. You and Kim come by then and we'll bake some."

The next day at 2 o'clock Mrs. Jones heard a knock at her door. She opened it and there stood Kim.

"I am ready to bake!" said Kim.

"Come on in!" said Ms. Jones. "Where is Kevin?"

"I don't know. He'll probably be here soon."

Kim and Ms. Jones began to make the cookies. They decided to make chocolate drop cookies, without nuts. They worked very hard. They mixed the sugar, flour, eggs and chocolate. Kim's friend Jane ran by the kitchen window and called, "Kim, come over and play checkers with me!"

"No thanks. I'd rather help here and have some dee-licious cookies!"

At last, Kim and Ms. Jones sat down on the porch swing to wait the last few minutes before the cookies were done. They smelled wonderful. Just then, Kevin, wearing his baseball suit, ran up to the porch. "I smell chocolate cookies. Mmm...my favorite! Without nuts, I hope!"

"Ms. Jones, it's not fair for Kevin to get cookies. We worked on them all afternoon and he didn't help a bit!"

"It is too fair! It was my idea in the first place, and I'm very hungry!"

From "Problems in Green Valley," Becoming Citizens, Law Related Education Program for the Schools of Maryland, National Street Law Institute, Constitutional Rights Foundation (1978)

(5th to 9th grades)

To Sue or Not to Sue, Is it Worth it?

Original concept created by WylaGene Seal, Hunter Elementary, West Jordan, Utah
CRADLE LESSON PLAN No. 41565A

INTRODUCTION: With today's "suit happy" society, children have a misconception about how easy it is to sue someone and win a substantial settlement. Often children hear others threaten to sue someone or they see advertisements on television telling them that it won't cost them anything to take someone to court unless they win. This lesson takes students through the procedures involved in suing someone and helps them examine the costs of a suit (emotional and financial), and what they might win as a result of a lawsuit.

GOALS/OBJECTIVES: Students should understand the cost involved in an ordinary lawsuit. They can evaluate cost v. the outcome of a lawsuit, their feelings regarding their costs and the effects they might have on themselves and their families.

SUBJECT/GRADE LEVEL/AUDIENCE: 5th to 9th grade

PROCEDURE: Encourage class discussion on lawsuits. Ask students if they have heard of people suing another person (parents threatening to do so, TV, commercials etc.). Have they known anyone who has been involved in a lawsuit? Have any of them ever been in a courtroom? Try to draw out from the students their preconceptions of what is involved in a court case and what they perceive the outcome of a court case to be. Children can compile a list of possible reasons for suing another person. Ask students what they think attorneys do for clients. Make a list on the blackboard.

Review the list of what students think their attorney might do for them. Eliminate any misconceptions and add any additional tasks that an attorney performs.

Go over their original list of possible reasons for which a suit might be brought and eliminate those which an attorney would not advise them to take to court. Discuss why certain cases may not go to court. Introduce mediation, arbitration, and negotiation as alternatives to court action. Be sure to eliminate such items such as murder for which someone would be taken to criminal court and for which the students would not be able to bring suit against the defendant.

If time allows, bring in newspaper articles concerning current court cases and ask if the students believe these cases are warranted.

Because many students are curious about how much attorneys earn, be prepared for this question. A good way to respond is to tell them an approximate figure, ask if they think that's a lot, and then explain how attorneys charge for their services and how much work goes into preparation of a case for trial.

Don't forget to tell the students that attorneys don't work on one case at a time, but often juggle numerous cases and services for a wide variety of clients.

Lawsuit Expenses:

INITIAL VISIT TO THE ATTORNEY - You visit with your attorney and tell him/her the facts of the case. You tell him/her your side of the story and give him/her all of your evidence.

FACTUAL INVESTIGATION BY ATTORNEY - Your attorney researches the facts you have given him/her. He/she looks at the documents and informally interviews (talks on the telephone with) your witnesses.

ATTORNEY RESEARCHES THE LAW - Your attorney checks the state or federal laws to see if you have a valid claim or not. Time spent would depend on how clear-cut your case may be.

FOLLOW UP VISIT WITH THE ATTORNEY - Your attorney tells you what his research shows and advises you whether or not he believes you should proceed further. Your attorney might advise you to drop the case if the law says that you are in the wrong and you really don't have a reason for suit. If your attorney believes that the costs of prosecuting your case would be greater than what you would receive, he might advise you to drop the case. At this point you would pay the attorney for the time he has spent so far.

Next your attorney would draft a complaint (tell the court why you are suing) and file it in court. Then the person you are suing needs to be notified as to what is happening by giving them a summons. This summons is a document signed by the court, which orders the person to respond to your charge.

DISCOVERY PERIOD - This is the time when both sides of the case try to find out what the other side will say in court. Your attorney will be talking to the attorney from the other side. He may choose to do any of the following procedures to decide what would be best to prove your case in court.

Interrogatories - Your attorney writes a set of questions that the other side must answer under oath. Your attorney will think of every possible question that he needs answered

Request for documents - Your attorney writes the other side and requests a copy of their documents such as contracts, pictures, receipts, etc.

Cost for formal deposition: Meet with your attorney again - Go over all the information that he has learned in the discovery period. After examining the evidenced that the other side has, you must again decide if you want to proceed further with the trial. At this time, clients may need to evaluate whether or not you can afford to go on with the case. The other side might be willing to give you some money so that they won't have to go to court. This is called settling out of court. Would you be

willing to accept less money now so that you won't have to go to court?

If not, your attorney will begin to prepare for trial. He or she may write a "court brief" to the judge. In this he/she will tell the judge what he/she will say and what he/she intends to prove in court. Your attorney will also meet with you to "practice" how you will answer questions in court and how you will act in court. Then your attorney will organize a list of witnesses and what he/she needs each witness to say. He/she will then write down all the questions he/she must ask each witness. He/she will also have to organize what he/she needs to ask each witness from the other side. Then he/she must evaluate the "evidence" he/she will use to see what can be admitted into court and what items will not be allowed.

After the trial, a verdict will be given either by the judge or by the jury. If you win, you will be awarded a sum of money out of which you must pay for all your costs and attorney fees. If you sued because you were hurt or your property was damaged, you must use part of this money to pay those bills also. However, should the person refuse to pay this money, you will again have to take them to court. You will still have to find a way to collect or make them pay the fee. There is also the possibility that you will lose this case and have to pay all of the court and attorney fees out of your own pocket without getting anything from the other side, or the judge or jury may find them guilty yet not award you very much money.

Discuss how much time all this can take. Also indicate that a considerable percentage of cases never actually go to trial but settle somewhere along the line.

Also discuss the emotional impact of lawsuits. Whoever someone sues will be angry. Friendships may be destroyed, neighbor relations affected. Some witnesses may not appreciate being called on to testify against friends. Ask which would be more important to the students: a friend or the money they might win in court?

Grades 5-9

A Visit from Your Local Police...

The Chicago Police Department has offered materials they use in preparing officers to visit classrooms. The materials discuss some of the issues that a police officer may face during a regular day on duty. Although it may seem that police officers just write tickets and arrest people, there is much more to the job. A police officer's job can be as simple as helping children cross a street in front of their school, to investigating and solving serious crimes. The most important part of a police officer's job is to be able to help people in need.

Students should be encouraged to approach police officers if they ever need help, have a question, need to speak with someone about a problem, or just want to get to know their neighborhood police officer. Often, officers are assigned to specific neighborhoods or areas, and these officers would like to meet the people they serve.

The following are some situations that may confront a police officer while on duty. Students should be encouraged to discuss the situations and the possible remedy, and then invite a police officer to the classroom to respond to any questions they may have.

1. While visiting a school, a police officer is approached by a student who asks to speak to the officer in private. The student says that a family member who made him or her promise not to tell has physically abused him or her. What should the officer do?
   a. Tell the student that he or she should listen to the family member and yell at him for telling.
   b. Tell the student that he or she was brave for telling a police officer and help him or her with the problem.
   c. Teach him or her how to beat up the family member.
   d. Tell him or her that it is not a police officer's job to become involved and tell the student to talk with another adult in the household.
   e. Tell the student that if he or she behaved, they wouldn't be abused.

2. A community beat officer in a neighborhood is walking along a local street and he or she encounters a large group of teenagers who are blocking the sidewalk in front of a corner store. What should the police officer do?
   a. Tell the teenagers to get lost or run the risk of being arrested.
   b. Ignore the teens, as they probably belong there.
   c. Arrest the teens for creating a disturbance.
   d. Find out what the teens are doing there and explain why they should not be gathered in front of the local store, and offer a possible alternative place for them to go and meet.
   e. Walk right by and let the storeowner worry about it.

3. An officer is assigned to a specific school. One morning, a fourth grade student tells the officer that another student in the class has been demanding money every day and threatens to beat him or her up if payment is not received. So far the student has been forced to give the other student over $20.00. What should the police officer do?

a. Tell the victim to learn how to box so no one will threaten him.
b. Find the offender and hold him or her upside down until $20 falls from his or her pockets.
c. Tell the victim that he or she should talk to the teacher and not to the police officer.
d. This is a crime, so the police officer should speak with the family of the victim and find out if they would like to press criminal charges against the offending student, or find another alternative solution to the problem.
e. Other options:

4. A police officer is on patrol in a district that borders another community. As the police officer is driving, the officer notices a group of teenagers in a car speeding as they pass the officer into the next community. As they cross the city boundary, the teens begin to wave, laugh and point to the sign indicating they are outside the officer's regular jurisdiction. What should the police officer do?

a. Wave back and hope for another chance another day.
b. Ask the dispatcher to request a police officer from the adjoining community to pull them over and issue a ticket.
c. Pull them over and arrest them for making fun of a police officer.
d. Pull them over in the neighboring community and write them a ticket. Just because they left the city limit does not mean they cannot be ticketed for an offense they committed within the city limits.
e. Other options:

5. A police officer is approached on the playground by a group of fifth grade students. One of the students asks to see the officer's gun. The students brags that his or her brother keeps guns in their home and he or she wants to see if the officer's gun is as cool as the ones at his or her house. What should the police officer do?

a. Pull out the gun and give the students a demonstration of your quick draw techniques.
b. Tell the student that since he or she is already familiar with guns, he or she may hold yours, if he or she promises to be careful.
c. Kick out the student's home front door and arrest the brother for possession of guns.
d. Explain to the student how dangerous it is to have guns in his or her house. Make him or her promise not to touch the guns, and ask him or her to speak with his or her parents about turning in the guns to the nearest police department.
e. Other options:

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6. A police officer receives a radio assignment to go to a domestic dispute. Upon arrival, a neighbor shouts that a father and son are fighting in the yard. The police officer goes to the back yard and sees a middle-aged man and a teenager screaming at each other. The older man is bleeding from his shoulder and the teen has a knife in his hand. What should the police officer do?

a. Begin firing his or her weapon at the armed man because he could kill his father.
b. Think of this as a family matter between father and son and leave so that they can work it out between themselves.
c. Jump into the middle of the argument.
d. Radio for backup and call for an ambulance and then order the teen to drop the weapon while ordering the father to back slowly away.
e. Other options:

Make up some other situations where police officers would help.

Discuss options on how to resolve conflicts.

Remember to thank the police officer for taking the time to meet with you and explain what he/she does!

MOCK TRIAL FOR MIDDLE SCHOOL STUDENTS

Guidelines

1. Opening arguments should be drafted and practiced until they can be presented in three minutes.

2. OPENING ARGUMENTS should present a clear and concise description of the anticipated presentation of the facts to be argued at trial, presented with poise and conviction.

3. Opening Arguments or Statements are made at the beginning of a trial and serve as a guide to what each side will present during their direct examinations.

A. Plaintiff - standing at counsel table or lectern, the attorney introduces him or herself and colleagues to the judge (and jury, if applicable) and summarizes the evidence that will be presented to support the case.

B. Defense - standing at counsel table or lectern, the attorney introduced him or herself and colleagues to the judge (and jury, if applicable) and summarizes the evidence that will be presented to rebut the case made by the plaintiff.

OPENING ARGUMENTS/STATEMENTS - GENERAL INFORMATION

a. Objective: to acquaint the judge with the case and to outline what you are going to prove through witness testimony and the admission of evidence.

b. What should be included:
(1) A short summary of the facts
(2) Mention of the burden of proof (the amount of evidence needed to prove a fact) and who has the burden in this case.
(3) The applicable law.
(4) A clear and concise overview of the witnesses and physical evidence that you will present and how each will contribute to proving your case.

c. Advice in presenting
(1) It is essential that you appear confident in your case.
(2) Use eye contact when speaking to the judge.
(3) Use the future tense in describing what you will do (i.e., "The facts will show," or "Our witnesses will testify that...").
(4) Do not read too much. Look up and at the judge as much as possible.

d. Other suggestions

(1) Learn your case thoroughly (facts, laws, burdens, etc.)

(2) Avoid too much narrative detail about witness testimony. Avoid exaggeration and overstatement of facts that may not be proven.

Opening statements should be written by students with editing **assistance** from the leaders, attorney and/or other adult advisors. Courtroom etiquette and decorum should be stressed at practice and observed at trial (i.e., standing when the judge enters or leaves the room, and calling the judge "Your Honor"). All participants should speak clearly and loudly enough to be heard by everyone in the courtroom. Microphones may not be available. Practice this by having each student/attorney stand at the far end of a room while questioning the student witness.

The students need to understand and become familiar with legal terminology, i.e., plaintiff, defendant, overruled, sustained, etc. Some of the most difficult for team members to learn are:

a. To decide which points are the most important to bring out at trial to help their side of the case.

b. To tell clearly what they intend to prove in an opening statement and to argue effectively in closing that the facts and evidence have been presented to prove their case.

c. To follow the formality of the court, i.e., standing up when the judge enters the room and to call the presiding judge, "Your Honor."

STATEMENT OF FACTS:

Jan Lynch, a student at Arnold Ziffel High School, in Springfield, Illinois, was murdered in front of the Public Affairs Center (PAC) at Sangamon State University (SSU) at approximately 4:45 p.m. on October 4, 1996. It was a clear day; it was daylight.

Lynch was entering the PAC front entrance with a friend when he was shot once in the head. Lynch died immediately. The shot was fired by the passenger in a blue Ford Escort that was passing through on the road near where Lynch was walking. After the shot was fired, the Escort sped away. Police arrived approximately five minutes after the incident and questioned people at the scene in a search for anyone who might have information concerning the event.

The only witness with substantial information was Kelly Rex, a friend of Lynch's. Rex told the officers that Lynch's assailant was in a blue Escort. Rex stated that there were two people in the car and that the shooter was on the passenger side. Rex also gave a rough description of the occupants of the car including hair length and color, as well as the color of their shirts.

None of the other people at the scene could offer any information concerning the crime. Some had come on to the scene after it occurred. A couple of others were nearby when they heard a shot, looked up, and saw the blue Escort speeding away. None of these people saw who fired the shot, nor could they identify the occupants of the car.

On October 5, police were contacted by Jessie Grant. At the time of the shooting, Grant was playing soccer near where the shooting had taken place. Grant had noticed a blue Escort travelling at a high rate of speed away from the direction where the shooting had taken place. However, Grant was unaware of the shooting until the next day when the story of the crime appeared in the local paper.

Grant gave a description of the two people in the car that was consistent with the description given by Rex, except Grant had the driver and passenger opposite from Rex's description.

On November 8, 1996 local police stopped Terry Crawford for disobeying a stop sign. While running a routine license check, police discovered that an arrest warrant had been issued for Crawford because of a failure to appear in court on a charge of retail theft. It was also discovered that Crawford was on probation for possession of a controlled substance with the intent to distribute. Upon taking Crawford into custody on the warrant, both Crawford and the car, a blue 1983 Ford Escort, were searched. The search revealed approximately one half pound of marijuana and a small quantity of cocaine. Upon noting that Crawford's vehicle and Crawford matched the description of the car and driver involved in the Lynch murder, police notified investigators involved in the Lynch case.

Initially, Crawford denied any knowledge of, or involvement in, the Lynch murder. However, on November 12, 1996, Crawford gave a statement to police admitting to driving the car on October 4 when a friend, Gerry Schmitz, shot Lynch with a 9mm handgun. Crawford claimed that the shooting was not planned in advance and was completely Schmitz's idea.

Based upon the information provided from Crawford, police obtained an arrest warrant for Schmitz and a search warrant for Schmitz's home. The search of Schmitz's home uncovered a 9mm semi-automatic handgun similar to the one described by Crawford. Subsequent ballistics tests revealed that the gun was the one used to kill Lynch.

Initially, Schmitz would not answer any police questions concerning the shooting. After several days, Schmitz did give a statement to police that alleged that Crawford was the shooter and Schmitz the driver. Schmitz claimed the shooting was done entirely by surprise and was entirely Crawford's idea. Schmitz has a prior conviction for theft and is currently on probation for robbery.

Schmitz's version of the events is supported by Sam Kahn, a close friend of Schmitz who claims to have been at a party where Crawford bragged about shooting Lynch. Although, Kahn claims that there were many people present at the time of the incriminating statement by Crawford, Kahn has been unable to recall any names of anyone else who heard Crawford admit to the shooting. Crawford also alleges that Kahn is seeking revenge for a drug transaction for which Kahn claimed Crawford owed money. Crawford claims that Kahn confronted Crawford about this on several occasions and that Kahn was quite upset about it.

After investigation, the prosecutor's office charged Schmitz with first degree murder. Crawford has plead guilty to the charge of concealment of a homicidal death and is awaiting sentencing at the time of Schmitz's trial.

STATEMENT OF KELLY REX (Witness for the Prosecution)

My name is Kelly Rex. I am 17 years old and was with Jan Lynch the day Jan was killed.

Jan and I had stopped at Sangamon State University to buy tickets for the Chipmunk Christmas program as a birthday present for Jan's brother. We had parked only about 50 feet from the main entrance of the Public Affairs Center. That's where the ticket office is located. It was a nice day and we were taking our time getting from the parking space to the main doors. Just as we started walking from the car, an old blue Escort drove by slowly. There were two people in the car. The driver was thin with light colored, short hair. The passenger was heavier with dark hair that was also cut very short. Both were wearing red shirts and both appeared to be about the same age as me.

I wouldn't have paid much attention to them except they seemed to be staring at us as they drove by. This made me stare back.

The drive makes a loop in front of the doors so I got a look at them both when they passed by and when they headed back up the loop. After they passed by, I quit watching them. Jan and I were just outside the doors when I heard a loud noise from my left. I looked up and saw the passenger in the same blue Escort I had just seen pulling a gun back in the window of the car. At the same time, Jan fell to the ground and never moved after that. There was a pool of blood that seemed to spread everywhere. The next thing I heard was an engine racing and I saw that same blue Escort I had seen moments before speeding away. I started yelling and screaming and some people came. Someone went to call the police and others tried to help Jan. Jan didn't move again.

I have reviewed the map attached to this statement and believe it to be true to the best of my knowledge.

STATEMENT OF JESSIE GRANT (Witness for the Defense)

My name is Jessie Grant. I am 20 years old and a student at Sangamon State University.

On the afternoon of October 4, 1996 I was playing soccer with friends at a field on the SSU campus. We started at about 3:00 p.m. and quit a little before 5:00 p.m. The field is about a half a mile from the Public Affairs Center.

Just before we quit playing, I was retrieving a ball that had been kicked across the road. As I was starting to cross the road, an old blue Escort came by at an extremely high rate of speed. I took a step back from the road and looked to see whom the idiots were who were driving so fast. The driver had kind of a stocky build with dark hair. The passenger was thinner with light hair. Both of them were wearing red shirts. I would judge their ages to be about the same as mine, or maybe a little younger.

After they passed, I got the ball and asked my buddies if they had seen the morons who went by. My friends had all gone behind one of the goals to get some drinks out of a cooler we had there and none of them had noticed the car. We sat around for a little bit after that and cooled off. Then we all went home.

I had heard sirens and had seen police cars going toward the area of the PAC but I didn't think much about it or connect it to the car that had sped by. It wasn't until the next morning when I saw the newspaper account of the shooting on campus that I made the connection with the car I had seen the day before while playing soccer. I immediately called the police and told them what I had seen. I have marked a map indicating my position at the time I saw the car. I believe this to be true to the best of my knowledge.

STATEMENT OF TERRY CRAWFORD (Witness for the Prosecution)

My name is Terry Crawford. I am 19 years old. I have known Gerry Schmitz for a little over two years.

On the afternoon of October 4, 1996, Gerry and I were riding around in my car. I drive a 1983 blue Escort. We weren't doing anything in particular. Just listening to music and getting high. I decided to drive out by Sangamon State because there's not much traffic out there and usually not any cops out there either. Anyway, we're driving along and Gerry tells me to go down this circle drive. It goes down in front of the Public Affairs Center. He says, "See that shirt?" I looked down the drive. There were only two people out there. One of them had on a white t-shirt with a green logo on it that

looked like a four-leaf clover and a 4-H. Gerry says, "It's one of those Four Corners jerks. I've got some business to do here."

The Four Corners is a gang. It's really "Four Corners of hell." They usually put four H's on their stuff or sometimes just 4-H. I remembered hearing that some Four Corners guys had messed with Gerry a few weeks before. Anyway, Gerry tells me to just drive by slow, so I did. When we went back up the circle, Gerry told me to go around again. I asked Gerry what for and Gerry just told me to do it. So, I went back down there. By the time we got to the bottom of the drive, the two people were getting close to the doors of the building. Gerry pulls out a gun and pops off a round. Then I saw the one with the 4-H shirt go down.

When that happened I just put the pedal to the floor and got out of there as fast as I could. I wasn't saying anything. I was driving as fast as I could, trying to get out of there. Gerry just kept saying, "That'll teach 'em to mess with me." Once we got back toward town, I slowed down. We parked the car behind the house, got the beer and pot out of the car, and split up. Gerry kept the gun. I told Gerry I was afraid the person who got shot was dead. Gerry just said, "That was the idea, wasn't it?" After that, I still hung around with Gerry some, but not as much. The whole thing just scared me and I didn't want to think about it.

As far as Sam Kahn is concerned, we've had a little feud going on for awhile. I think Sam is just trying to get even. Back in August of '93, Sam sold me some pot. I paid for half of it at the time and said I would pay for the rest in a couple of days. Sam and I have known each other for a long time so it was no big deal. We had done this type of thing for each other from time to time. The problem was that the stuff I took home with me wasn't the same stuff I had smoked before I paid my money. The stuff I smoked before was good, but the stuff I took home was ditch weed that probably wasn't worth what I had already paid. When Sam asked for the rest of the money, I made it real clear that I wasn't paying another cent. I also made it real clear that I was insulted that someone I considered a friend had tried to rip me off. We haven't had anything to do with each other since then. And, I think that is why Sam came up with this story about me being the shooter. If Sam and I were at the same party, which I doubt, we sure never spoke to each other.

STATEMENT OF GERRY SCHMITZ(Witness for the Defense)

My name is Gerry Schmitz. I am 18 years old. On October 4, 1996, I spent the afternoon driving around with Terry Crawford. We were just out getting loaded in Terry's car, an '83 blue Escort.

At first Terry drove. Then, after we stopped for some gas, Terry asked if I would drive. So, I agreed to drive for awhile. We were just drifting around with no particular place to go and just ended up out at Sangamon State. I was just going to take a slow ride around the campus. I went down one road that just made a circle in front of a building. When we were going down the drive, Terry told me, "Slow down, Four Corners." I looked over in the direction that Terry was staring and there were two people on the sidewalk. One had on a white shirt with a green four leaf clover and "4-H" on the back of it. We drove by real slow and then headed back up the drive. When we got near the top of the drive, Terry said, "Let's check this out again." So, I drove down the drive again. By the time we got to the bottom of the drive, the people were only a few feet from the doors to the building. Just before we were even with them, Terry pulled out a gun from under my seat and fired a shot toward the two people. The one with the 4-H shirt dropped like a rock.

As soon as I saw that, I got us out of there as fast as I could. We went out into the country for

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awhile and then headed back into town. Terry kept going on about how he got that Four Corners.

Terry and I are both with the Street Dawgs and we're always after the Four Corners and the Four Corners is always after us. We both thought for sure that the person who got shot had on a Four Corners shirt. It wasn't until we saw the TV news that we heard about the 4-H Club. Neither one of us had ever heard of that before. Anyway, we left the car at Terry's and got the rest of our stuff out of the car.

Terry asked me if I would keep the gun for awhile. He said if he got identified, he didn't want to get caught with the gun on him. I took the gun and kept it at my house. So now Terry got in some trouble and is nailing me as a way to get out of it.

STATEMENT OF SAM KAHN (Witness for the Defense)

My name is Sam Kahn. I am 17 years old. I have known both Terry Crawford and Gerry Schmitz for about four years. We all live within a few blocks of each other. We have mutual friends and often see each other at parties or just around the neighborhood. This last October, we were all at the same party at a friend's house. I don't remember exactly when the party was, except that it was in the middle of October somewhere. I remember that because I remember that the World Series was on the television. Terry and Gerry and I didn't go there together. We just all ended up there. There were a lot of people there. Probably forty or fifty most of the time. We were really packed into the place. At one point, I was standing with Terry Crawford and about six or seven other people. By this time, it was well after midnight and Terry appeared to be pretty wasted.

Terry started talking about this shooting that took place out at Sangamon State University earlier in the month. Terry said that Gerry drove the car and Terry shot at someone who looked like a Four Corners member. Terry was laughing about how scared Gerry was, and that he had never heard of anything called a 4-H Club.

We all talked a little bit about how none of us had heard of 4-H, and then people kind of moved around like they do at parties. That was the last I saw of Terry that night. I didn't say anything to anyone about what Terry had said, because I considered Terry a friend. But when I heard a few weeks later that Terry was blaming Gerry for shooting, I got hold of the police. I consider Gerry a friend too.

I can't let Gerry get convicted of something someone else did.

I know that Terry says I am trying to get even for some drug debt Terry owes. That's all just a big story, just like it's a big story that Terry shot Jan Lynch. I never sold any drugs to Terry and Terry doesn't owe me any money. I don't have anything against Terry, except that Terry is trying to get the wrong person convicted.

STATEMENT OF MARTY BOULDON (Witness for the Prosecution)

My name is Marty Bouldon. I am 17 years old and I have known Gerry Schmitz for about two years. We live in the same neighborhood and belong to the same gang, the Street Dawgs.

In August of 1996, Gerry and I were walking to Gerry's house from the video store. The store is only about four or five blocks from Gerry's house. We were only about a block from the store when we noticed a van coming toward us. The van passed by but it looked like the people in the van had on Four Corners colors. They wear denim jackets with an "H" on each shoulder front and back or sometimes just "4-H." We couldn't tell for sure what the people in the van were wearing because it was dark, but it made us nervous. We always have trouble with the Four Corners people and we give

trouble back to them whenever we can. Seeing a van full of them in our neighborhood could only mean trouble. It would be easy for them to figure out who we were with, since we had our colors on. Street Dawgs colors are a Georgia Bulldogs shirt or hat. Both of us had on Bulldogs shirts.

We watched until the van went around the corner and then we started walking to Gerry's again. We had walked about another block when we noticed the same van coming up behind us. By this time, the van was just about even with us. At about the same time that we noticed the van, we heard a shot. The shot missed us. I think it hit a light pole that was right next to us. Anyway, as soon as we heard the shot, we took off running. There was a store right by us so we went in the front door, ran through the store, out the back door, and into the alley behind the store. Once we got into the alley we ran the rest of the way to Gerry's house without any more problems. When we got to Gerry's, I was just glad we hadn't been shot. But, Gerry was mad more than anything else. Gerry was punching the furniture and throwing stuff around and cussing the Four Corners about every way you can think of.

After we both calmed down we watched the movie we rented and then I went home. I didn't see Gerry for three or four days after that. When I did see Gerry next, Gerry said, "Remember that problem with the Four Corners the other night? Never again my friend." Then Gerry showed me a handgun that was tucked in the waist of the pants Gerry was wearing. I would see Gerry one or two times a week on average and I think every time we were together after that Gerry made a point of showing me the gun.

I don't know anything about the Lynch shooting. Gerry never said anything about it. I used to see Crawford until about the time Gerry was arrested. I haven't seen Crawford since then. But Crawford never said anything about Lynch either.

STATE REGISTER (October 5, 1996)

MURDER AT SANGAMON STATE UNIVERSITY

Yesterday at approximately 4:45 p.m. a teenage student visiting the campus was gunned down at the door of the Public Affairs Center at Sangamon State University. Jan Lynch, a student at Arnold Ziffel High School was pronounced dead at the scene. Kelly Rex, a witness to the shooting, stated that two young men in an old blue Ford Escort drove by and shot Lynch.

Rex said that Lynch was well liked at school and that neither students were involved in gang activities. Police have found no motive for the shooting as yet.

Other "drive by" shootings have occurred in the past months in Springfield which have been connected with warring gangs. Two prominent gangs taking credit for some of the recent violence are the Street Dawgs and the Four Corners of Hell.

Police are seeking other witnesses to the crime and ask that anyone with information on the shooting contact the Crime Stoppers Hotline, 800/555-5555.

STATE REGISTER (October 8, 1996)

CRIMESTOPPERS SEEK INFORMATION ON MURDER

Crimestoppers for Sangamon and Menard counties is seeking information on an October 4 shooting at the Sangamon State University Public Affairs Center.

According to police reports, a gunman, a passenger in a blue Ford Escort, drove by the entrance to the Public Affairs Center at about 4:45 p.m. and shot a Springfield high school student, Jan Lynch. The driver of the vehicle is also being sought for questioning.

The gunman and driver were both in their late teens or early twenties, were wearing red shirts and had short haircuts.

Anyone with information regarding this shooting or any other serious crime is asked to call 800/555-5555. You don't have to give your name and if your tip leads to an arrest, you will receive a cash reward of up to $1000.

JURY INSTRUCTIONS

2.03 - Presumption of Innocence - Reasonable Doubt - Burden of Proof Generally

The/Each defendant is presumed to be innocent of the charge(s) against him or her. This presumption remains with him or her throughout every stage of the trial and during your deliberations on the verdict, and is not overcome unless from all the evidence in the case you are convinced beyond a reasonable doubt that the defendant is guilty.

The State has the burden of proving the guilt of the defendant beyond a reasonable doubt, and this burden remains on the State throughout the case. The defendant is not required to prove his or her innocence.

2.04 - Failure of Defendant to Testify

The fact that the defendant(s) did not testify should not be considered by you in any way in arriving at your verdict.

5.03 - Accountability

A person is legally responsible for the conduct of another person when, either before or during the commission of an offense, and with the intent to promote or facilitate the commission of that offense, he knowingly solicits, aids, abets, agrees to aid, or attempts to aid the other person in the planning or commission of the offense.

7.01 - Definition of Murder

A person commits the offense of murder when he or she kills an individual (without lawful justification), if, in performing the acts that cause the death,

(1) he or she intends to kill or do great bodily harm to that individual or another; or

(2) he or she knows that such acts will cause death to that individual or another; or

(3) he or she knows that such acts create a strong probability of death or great bodily harm to that individual or another; or
(4) he is attempting to commit or committing the offense of murder.

7.02(A) - issues in Murder
To sustain the charge of first degree murder, the State must prove the following propositions:

First: That the defendant performed the acts which caused the death of Jan Lynch; and

Second: That when the defendant did so,

(1) he or she intended to kill or do great bodily harm to Jan Lynch; or
(2) he or she knew that his or her act would cause death or great bodily harm to Jan Lynch; or
(3) he or she knew that his or her acts created a strong probability of death or great bodily harm to Jan Lynch; or
(4) he was attempting to commit or was committing the offense of murder.

If you find from your consideration of all the evidence that each one of these propositions has been proved beyond a reasonable doubt, you should find the defendant guilty.

If you find from your consideration of all the evidence that any one of these propositions has not been proved beyond a reasonable doubt, you should find the defendant not guilty.

(9th through 12th grades and adults)

TEACHING WITH FILMS

Movies that contain legal themes or issues can be used as a means to stimulate classroom discussion. In your preliminary discussions, teachers and lawyers may choose to use a law-related film, such as those listed below. Students would be shown the film during a class session and then the lawyer or judge would be invited to attend the class to discuss legal topics ranging from determining ones guilt or innocence to the moral outrages of racial segregation, corruption and the Nazi laws.

Suggested films might include:
Judgment at Nuremberg **(1961)**
Anatomy of a Murder **(1959)**
Twelve Angry Men **(1957)**
To Kill a Mockingbird **(1963)**
A Man For All Seasons **(1966)**
The Verdict **(1982)**
The Trial **(1962)**
Inherit the Wind **(1960)**
Paths of Glory **(1958)**
The Wrong Man **(1957)**
The Passion of Joan of Arc **(1928)**
M **(1931)**

A number of these films are available on videotape and could quite easily be used to stimulate discussion of a wide variety of issues in the classroom.

It is recommended that both the teacher and the lawyer, judge or other legal professional review the film fully to prepare for classroom discussions. Some of the movies listed may obtain materials suitable for older students.

(9-12 lessons)

LESSON TOPIC: (#1) Law Day: Why we have/need rules and laws.
LESSON TITLE: Why We Have and Need Laws
STUDENT MATERIALS: "Why Do We Have Laws?" handout; nuclear attack hypothetical
DIRECTIONS:

1. (Teacher) Distribute the nuclear attack handout. Read the hypothetical problem aloud and discuss the first question with the class. Divide the class into small groups and give them 10-15 minutes to answer the second question. What laws would be most important in such a situation? Why? Compare and discuss the groups' responses.

2. (Lawyer/Judge) Brainstorm and list on the chalkboard 15 or 20 examples of laws. Go back through the list and ask: Are they primarily civil or criminal? Are they federal, state or local laws? Who enforces these laws and what's the penalty for breaking them?

Now ask the students to think about these and other laws that affect their lives. Why do we have these laws? Distribute the second handout, have students fill it out, and discuss. Explain the role of lawyers and judges in the making (i.e., via case decisions) and enforcing of laws.

PROBLEM: You are among a small group of persons who have survived a nuclear attack on your city. All radio and other communications equipment were destroyed. It appears that your group may have to wait some period of time before search planes can locate and rescue the stranded survivors.

QUESTION:
1. Do you think that there is a need for any laws in this situation? Why or why not? If so, should some existing laws apply or should your group form its own rules of conduct? Why?

2. Think of five laws that will help your group regulate the conduct of the people within it. Now draft the five laws. How will your group enforce these laws?

3. Will the existence of a set of written laws be enough to regulate the group's conduct? What else might be needed? Why?

(9-12 lesson)

LESSON TOPIC: (#2) Role-players in the legal system.
LESSON TITLE: Choosing Judges
STUDENT MATERIALS: "The Role of the Judge in Trials" handout
DIRECTIONS:

1. (Teacher) distribute the handout and have students read it aloud. Brainstorm and list on the chalkboard: What are the qualities of a good judge? Ask your visiting judge if he or she agrees with the students' assessment. Would he/she add or delete anything from the list?

2. (Lawyer/Judge) Explain how lawyers with the necessary personal and professional qualifications become judges in Illinois, as well as the arguments for and against election vs. appointment of judges. Discuss with students: Do you think that judges should be elected or appointed? Why?

3. (Lawyer/Judge) Divide students into several small groups and ask them to develop a plan for selecting judges that would guarantee ability and honesty. Compare and discuss these plans.

THE ROLE OF THE JUDGE IN TRIALS* - Who is the most important person in the courtroom? The defendant in a criminal trial whose life or liberty is at stake might say, "I am the most important person because without me there would be no trial." The defendant's lawyer might also claim this role because people often attend a trial to see a famous defense lawyer in action. Or, the prosecutor might claim to be most important because he or she represents the people of the United States or the people of the state in bringing to justice those individuals who are accused of committing a crime.

On further reflection, however, the judge appears to be the most important person in the courtroom by acting as director of proceedings. He or she sustains or overrules objections made by the lawyers; rules on the admissibility of evidence such as photos, tests and demonstrations; and decides whether a witness can testify. If anyone - lawyers or members of the public - interrupts the proceedings the judge can hold that person in contempt after appropriate warnings. In jury trials, the judge instructs the jurors on the rules of law that apply to the case, and in a non-jury case, the judge determines the guilt or innocence. In either, a jury or non-jury trial, the judge determines the sentence (except in some capital punishment cases) when a defendant is found guilty.

What are the qualities of a good judge? Obviously, a good judge should know the law and be fair so that either side has an equal opportunity to present its position. Most judges have spent a number of years as practicing attorneys - in private practice or as government lawyers - before coming to the bench. Judges interpret the law in applying it to the case before them. Ideally, they must be versed in all areas of the law and must have a "seasoned" judgment.

*From Justice: Due Process of Law, by Dr. Isidore Starr, West Publishing Co. (1981)

(9-12 lessons)

LESSON TOPIC: (#3) "Miscellaneous" law-related lessons
LESSON TITLE: "Family Affair"
STUDENT MATERIALS: "Family Affair" questions and answer sheets
DIRECTIONS:

1. (Teacher) Two or three days before your Law Day Activity, ask students to create a collage depicting "How Laws Affect Families" or "Family Law." Have them display and explain their work to your Law Day resource person.
2. (Teacher) Divide the class into three groups and distribute the "Family Affair's questions. Students should spend about ten minutes answering the questions with the other members of their group. Keep score as each team, one by one, chooses a category (there are four) and answers a question within that category. If correct, that team gets the designated number of points. The team with the most points at the end of the class period wins.
3. (Lawyer/Judge) It is your job to provide students with the correct answers (see the answer sheets) and additional examples and hypothetical during the game. When the game is over, you may wish to discuss other important laws that have an impact on families, as well as how domestic cases are handled in the Illinois courts.

QUESTIONS: "FAMILY AFFAIR" GAME* - MARRIAGE

1. Getting married is easier than getting divorced. (5 points) TRUE/FALSE

2. In Illinois, you cannot get married without meeting the formal requirements of marriage: a license and a formal ceremony. (10 points) TRUE/FALSE

3. Martha, age sixteen, becomes pregnant. If she proves in court that Michael is the father, Michael must marry her and support the child. (15 points) TRUE/FALSE

4. If you break up with the father of your baby, he no longer has any rights to see the baby. (25 points) TRUE/FALSE

5. A woman may keep her maiden name even after she gets married. (25 points) TRUE/FALSE

*based on "Illinois Supplement to Street Law: A Course in Practical Law," by Teri Engler, Illinois Institute for Continuing Legal Education (1981)

ANSWERS: "FAMILY AFFAIR" GAME - MARRIAGE

1. Getting married is easier than getting divorced. (5 points)

TRUE: To get married, the couple must apply and receive a marriage license, and have a ceremony performed by an authorized person. To obtain a divorce, even if uncontested, the couple must go through a court proceeding to legally dissolve the marriage.

2. In Illinois you cannot get married without meeting the formal requirements of marriage: license and a formal ceremony. (10 points)

TRUE: Illinois does not allow common law marriages. In some states, couples can be married without meeting the formal requirements. Common law marriages are valid if the couple consider themselves to be husband and wife, hold themselves out to the public as husband and wife, act as husband and wife (live together, etc.) and meet the minimum age requirements for legal marriage.

3. Martha, age sixteen, becomes pregnant. If she proves in court that Michael is the father, Michael must marry her and support the child. (15 points)

FALSE: No one can be legally forced to marry someone else. If Martha proves Michael is the father in court, then she may be able to get child support. Proving that Michael is he father of the child would be done through a paternity suit.

4. If you break up with the father of your baby, he no longer has any rights to see the baby.

FALSE: The father can petition the court for custody or visitation of the baby. In Illinois, it is very unlikely that his visitation will be denied. A common visitation schedule is one or two nights a week, alternate weekends, and alternate holidays.

5. A woman may keep her maiden name even after she gets married. (25 points)

TRUE: Although women traditionally take their husband's name, it is not a legal requirement. Example: former Chicago's Mayor Jane Byrne is married to Jay McMullen.

CHILDREN'S RIGHTS

1. In a child custody suit, the court will consider the child's choice of which parent he/she wishes to live with. (5 points) TRUE/FALSE

2. A child can become legally independent of his/her parents (emancipated before turning 18 years old by joining the army, getting married, or providing that he/she is self-supporting. (10 points) TRUE/FALSE

3. Marie, age 15, and Jose, age 15, want to get married. If they both get their parents' consent, they can legally get married. TRUE/FALSE

4. Amy, 17 years old, is pregnant and wants to get an abortion. She must get her parents' consent. (25 points) TRUE/FALSE

CHILDREN'S RIGHTS
(Answers to Questions)

1. In a child custody suit, the court will consider the child's choice of which parent he/she wished to live with. (5 points)

TRUE: In child custody suits, the court determines the custody issue based on the "best interests of the child." One of the factors considered by the court is the child's choice of parent, although it is not conclusive and will be considered along with other factors.

2. A child can become legally independent of his/her parents (emancipated) before turning 18 years old by joining the army, getting married or by proving that he/she is self-supporting. (10 points)

TRUE: Parents must support their children and children must obey their parents until they become emancipated. Emancipation occurs when the child turns 18, or if the 3 factors listed in the question apply.

3. Marie, age 15, and Jose, age 15, want to get married. If they both get their parents' consent, they can legally get married. (10 points.

FALSE: In Illinois, children cannot get married before they reach the age of 16. Between the ages of 16 and 18, they must get their parents' consent.

4. Amy, 17 years old, is pregnant and wants to get an abortion. She must get her parents' consent. (25 points)

FALSE: Although children generally have to get consent from their parents for almost any medical treatment, the law has created an exception for abortion. Requiring consent has been held to be violative of a women's right to privacy.

FAMILY MATTERS

1. A parent who spanks his/her child until he/she cries is guilty of child abuse.

2. Most spouse and child abuse cases go unreported. (10 points)

3. When a couple gets a divorce, the husband always pays alimony to the wife. (10 points)

4. In Illinois, adopted children have the right to find out who their natural parents are. (15 points)

5. Darlene goes to work and always leaves her children ages 6 and 3 unattended. She is guilty of child neglect. (25 points)

PARENTS' RIGHTS

1. Max, a high school junior and star of the basketball team, does not want to move to a new city with his parents. Max's parents can insist that he move and live with them. (5 points)

2. Parents must support their children until they reach the age of majority or become emancipated. (10 points)

3. A married couple refuses to let their 15-year-old son date or go anywhere without them. They are guilty of child abuse. (10 points)

4. When a child works, the parents can require the child to turn over his/her earnings to them. (15 points)

5. Mr. and Mrs. Beasley think their 16-year-old daughter is mentally ill. Even though she objects, the parents can commit her to a mental institution. (25 points)

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PARENTS' RIGHTS - Answers

1. Max, a high school junior and star of the basketball team, does not want to move to a new city with his parents. Max's parents can insist that he move and live with them. (5 points)

TRUE: Since Max is a minor, the law gives his parents the right to determine where he lives.
Argument for parents: They support Max, they want to preserve the family unit.
Argument for Max: Moving may be against his best interest if he is close to legal adulthood.

2. Parents must support their children until they become emancipated. Children never have to support their parents. (10 points)

FALSE: There is long tradition of law and social custom that adult children are to support their parents if they are in need. (This is limited to what the children can reasonably afford.)

3. A married couple refuses to let their 15-year-old son date or go anywhere without them. They are guilty of child abuse. (10 points)

FALSE: While this may not be good parenting, it is not child abuse. Although it may be unreasonable not to allow their son to go anywhere, the courts will rarely interfere in such parental decisions.

4. When a child works, the parents can require the child to turn over his/her earnings to them. (15 points)

TRUE: This is a reasonable parental demand, although some states allow children to keep and to spend a part of their earnings, especially as they approach the age of majority.

5. Mr. and Mrs. Beasley think their 16-year-old daughter is mentally ill. Even though she objects, the parents can commit her to a mental institution. (25 points)

TRUE: The parents will usually be able to commit her. However, the decision usually is confirmed or denied by a doctor who observes and diagnoses the child. Note: The U.S. Supreme Court upheld a statute that only required the physician to talk to the child. They ruled that there was no violation of due process even though no hearing took place and the child was not represented by an attorney.

(9-12 lesson)

LESSON TOPIC: (#4) "Miscellaneous" law-related lessons.
LESSON TITLE: Child Abuse and Neglect*
STUDENT MATERIALS: Abuse/Neglect handout; Abuse/Neglect definition sheet; Juvenile court flow chart

DIRECTIONS:
(Teacher) Brainstorm and list on the chalkboard the definition of "abused" and "neglected" children. Ask your visiting resource person to comment on how close the student definitions are to the definitions in the Illinois' Juvenile Court Act.

(Teacher) Divide the class into four groups. Assign one of the four cases of child abuse and/or neglect to each group to examine and discuss. The groups should decide what, if they were juvenile court judges, they would do for the children and families described in the case. When the groups have reached their decisions, ask them to describe their case and report their decision to the class. What are the reasons for their decisions? Do other students agree with them?

(Lawyer/Judge/DCFS Worker) After students discuss their reactions to each case, stop and review the following: Would the kids in this case be characterized as "abused" and/or "neglected" under Illinois law? (Distribute the definition sheet and go through each subsection until you have an answer.) Is the disposition suggested by the students one that is available to a juvenile court judge in Illinois? How would you have decided this case? Is it a typical case of child abuse or neglect?

(Lawyer/Judge/DCFS Worker) Distribute and review the juvenile court flow chart for abuse and neglect.

*Developed by the Constitutional Rights Foundation

CHILD ABUSE/NEGLECT

Case #1

George's father disappeared several years ago.
George's mother supported the family by taking jobs occasionally and by receiving welfare checks.
One day George's mother didn't come home. George tried to take care of his 11 year-old brother and 10 year-old sister. George is 13.
George tried hard to keep the family together. They got along fine until their money ran out.
When George tried to cash his mother's welfare check, the police were called and they arrested him.
George and his brother and sister have been placed in foster homes while efforts are being made to find their mother.

Case #2

Ann and her mother live in an old, downtown hotel.
Ann's mother is currently on probation for shoplifting food.
Ann's mother has just been arrested for public drunkenness. She is 20 and unemployed.
Ann's mother has a previous record of possession and use of dangerous drugs.
Ann is 3 years old and living in a temporary foster home pending a fitness hearing for her mother, which will be held after she is released from jail.
Ann's mother's record indicates that she was abused as a child.

CASE #3

Mary was sent to the school office for refusing to participate in class and talking back to a teacher.
At first, Mary refused to talk to the school counselor. Finally, she broke down and told the counselor that her stepfather had been sexually abusing her for about 4 years.
Mary's mother has denied any knowledge of her husband's acts. She seems frightened.
Neighbors say that Mary's mother and stepfather often have loud fights.
The probation officer assigned to the case believes that Mary's story is true.
Mary's stepfather has been arrested and she is temporarily living in a foster home until the court takes action.

CASE #4

Mr. Cook abandoned his family. Mrs. Cook is from a small country town. Although she is unskilled, she has tried hard to find a job and to keep her family together.
A neighbor called the police and complained that the Cook children were being neglected.
When the police went to the Cook apartment, a skinny 6 year-old with a black eye answered the door.
The four Cook children, ages 6,4,3 and 1 1/2, were alone in the apartment with garbage all around; feces and diapers were everywhere. The smell was overpowering.
A doctor examined the Cook children. They were dirty, poorly nourished, and covered with sores that appeared to be infected with insect bites.
After talking with Mrs. Cook and the children separately, the probation officer concluded that it was not likely that the children had been physically abused by their parents.

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NEGLECTED OR ABUSED MINOR*

1. A neglected minor includes any minor under 18 years of age who:

a. Is not receiving the proper or necessary support, education, as required by law, or medical or other remedial care recognized under state law as necessary for a minor's well being, or other care necessary for his or her well being, including adequate food, clothing and shelter, or who is abandoned by his or her parents or other person responsible for tne minor's welfare; or

b. Any minor under 18 years of age whose environment is injurious to his or her welfare; or

c. Any newborn infant whose blood, urine, or meconium contains any amount of a controlled substance;

d. Any minor under the age of 14 years of age whose parent or other person responsible for the minor's welfare leaves the minor without supervision for an unreasonable period of time without regard for the mental or physical health, safety, or welfare of that minor.

2. An abused minor includes any minor under 18 years of age whose parent or immediate family member, or any person responsible for the minor's welfare, or any person who is in the same family or household as the minor, or any individual residing in the same home as the minor, or a paramour of the minor's parent:

a. Inflicts, causes to be inflicted, or allows to be inflicted upon such minor physical injury, by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily functions;

b. Creases a substantial risk of physical injury to such minor by other than accidental means which would be likely to cause death, disfigurement, impairment of emotional health, or loss or impairment of any bodily functions.

c. Commits or allows to be committed any sex offense against such minor;

d. Commits or allows to be committed an act or acts of torture upon such minor; or

e. Inflicts excessive corporate punishment.

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*705 ILCS405/2-3

Activities for Senior Citizens

The ISBA Elder Law Section Council asks that your bar association consider Law Day activities that focus on older persons.

Possible topics:

*Grandparents Rights and/or Grandparents as parents. Rights and responsibilities.
Including financial assistance, consent for treatment, adoption, guardianship, child support, health insurance coverage, decision-making authority, housing, custody and legal issues, tax benefits
*Guardianship or Power of Attorney
*End of life decisions; living wills, power of attorney, health care surrogate
*Rights in nursing homes
*Long term care insurance
*Medicaid eligibility
*Age discrimination in employment
*Housing/real estate matters
*Elder abuse/neglect
*Family law/child abuse and neglect issues
*Consumer Credit
*Consumer Fraud
*Unauthorized Practice of Law
*Alternative Dispute Resolution
*Community opportunities/volunteerism/need for election judges, jury duty, registering to vote after change of address.

Your Law Day program could feature these activities:

*Presentations at nursing homes or senior citizen centers.
*A mock trial on an issue of interest to older persons, such as age discrimination or guardianship.
*Seminars on end-of-life decisions, possible co-sponsored with hospitals.
*An information table at a mall.
*A collaborative program with local agencies on aging, legal services programs or church groups to provide legal services to homebound older persons.

You may want to contact a member of the ISBA Elder Law Section Council. The roster is attached for your information. Additionally, the following is a list of resources for information about elder law topics.

Elder Law Newsletter, Published at least 4 times a year for the members of the ISBA Elder Law Section Council. Call 800/252-8908 and ask for Publications.

"Special Issue: Elder Law", Illinois Bar Journal, (vol. 84, No. 1, January 1996). Call 800/252-8908 and ask for Publications.

Illinois: Counseling the Older Client (1996, 2 vol). Published by Lawyers Cooperative. Call 800/527-0430.

Advising Elderly Clients and Their Families (1991 and 1994 Supp.) Published by Illinois Institute for Continuing Legal Education. Call 217/787-2080.

American Bar Association Division for Public Education, 541 Fairbanks Court, Chicago, IL 60611-3314.

Office of the Attorney General, Public Information pamphlets on aging and caring for elderly. Call 217/782-1090.

Illinois Task Force on Grandparents Raising Grandchildren, c/o Illinois Department on Aging, 421 East Capitol, #100, Springfield, IL 62701

AARP Grandparent Information Center, 601 E Street, NW, Washington, DC 20049 (202)434-2296

National Coalition of Grandparents and Grandparent's United for Children's Rights, 137 Larkin Street, Madison, WI 53705 (608)238-7851

Understanding Law Through Literature: An Annotated Bibliography
Provided by the American Bar Association, expanded by the Illinois State Bar Association

NOVELS:

THE CAVES OF STEEL by Isaac Asimov
Core Concept: Righting the balance, Judgment
An interplanetary murder investigation is the backdrop for an exposure of societal differences between a futuristic Earth and her colonized planets. One of the main characters, a robot programmed to be "perfectly just," raises fascinating questions about the nature of justice and the relationship between a sense of justice and "humanness."

TEN LITTLE INDIANS by Agatha Christy
Core Concept: Whodunit?
A classic mystery appropriately set in an English country home with all the gothic trimmings. Readers are provided, if somewhat subtly, all the clues necessary to establish "whodunit." An excellent entree into investigative reading for the middle school student.

THE OXBOW INCIDENT by W.V.T. Clark
Core Concept: Righting the Balance, Judgment
A posse, lacking official sanction, decides to seek vengeance for an alleged case of murder and cattle rustling. The result is the death of three innocent men and two subsequent suicides. A novel that reads quickly raises questions of due process and jurisdiction.

GREAT EXPECTATIONS by Charles Dickens
Core Concept: Righting the Balance
This oft-dreaded classic can be revived and enjoyed when read in light of notions of fairness and reciprocity. A jilted lover's calculated attempts to get even with the whole male sex, a lawyer's effort to foster social justice by saving the child of a criminal, a convict's seeking of redemption in repaying a favor are among many of the legal situations that raise fascinating questions of individual and social fairness.

BLEAK HOUSE by Charles Dickens
Core Concept: Justice and Society
A satire on the methods of an English equity court, *Bleak House* is based upon an actual case in Chancery. Unlike many of Dickens' novels, the mesh of interrelationships is not neatly resolved. Instead lives and fortunes are sacrificed to a meaningless judicial system. The novel invites critique of the waste within our current judicial system.

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THE COUNT OF MONTE-CRISTO by Alexandre Dumas
Core Concept: Righting the Balance
Amid a story of Napoleonic intrigue, a political prisoner decides to ruin the man responsible for his imprisonment. His use of extra-legal, morally questionable means to achieve his end raises important considerations of justice--who should pursue it and in what ways? At what point has the balance been righted?

THE LORD OF THE FLIES by William Golding
Core Concept: Upsetting the Balance
The rejection of authority and with it the legal and moral principles on which "civilized" society rests leads to anarchy among a group of British school boys marooned on a desert island during an unnamed war (this backdrop pulls the supposedly civilized adult society into question).

SUMMER OF MY GERMAN SOLDIER by Bette Greene
Core Concept: Guilty or Not Guilty?
Like Antigone, the protagonist Patty Bergen, a teenage girl, is faced with a legal/moral dilemma. Laws of conscience bid her protect an injured German soldier while laws of state demand that she turn him in.

DARKNESS AT NOON by Arthur Koestler
Core Concept: On Being Convicted, Judgment
Rubashov, an ex-commisar of the People Under Stalin, is in prison, accused of treason. Under relentless questioning, lack of sleep and food, and the promise of life, he confesses to crimes he has not committed. At the end of his inquisition, his inquisitor is denounced and Rubashov is sent to his death.

THE STARS WILL JUDGE by Irving a. Greenfield
Core Concept: Judgement, Guilty or Not Guilty?
A protagonist, a prisoner on a distant planet, has been transported from Earth to stand trial for having caused an intergalactic war. During the trial, in which the defendant serves as his own lawyer, the nature of the crime, the personality of the defendant and the alien culture of his judges are revealed. The novel is interesting for its treatment of due process, evidence and social responsibility.

THE SCARLET LETTER by Nathaniel Hawthorne
Core Concept: On Being Convicted, Justice and Society
The contrast between Hester's (the convicted adulterer) and Dimsdale's (the unconfessed adulterer), experiences reveals much of the connection believed to exist between punishment and redemption--both legally and morally--by Puritan society.

THE DOSADI EXPERIMENT by Frank Herbert
Core Concept: Justice and Society
The hero's mission is to investigate the planet Dosadi that possesses a uniquely flexible legal system. His investigation uncovers a society in chaos born of anarchy. The practical and moral questions involved in reforming the entire legal structure make for compelling discussion.

LES MISERABLES by Victor Hugo
Core Concept: On Being Convicted, Justice and Society
A convict escapes and starts a new life but is hounded by his past. When is restitution complete? Insights into rehabilitation.

THE TRIAL by Franz Kafka
Core Concept: Judgment, Justice and Society, On Being Convicted
Against a backdrop of fantasy and burlesque, *The Trial* raises serious questions of authority, due process and the structure of law as it presents the subjective experience of one who has been convicted of a crime he not only has not committed, but the details of which he is not even told.

TO KILL A MOCKINGBIRD by Harper Lee
Core Concept: Who's to Blame, Righting the Balance
Because the novel is told from the point of view of a young girl, the events surrounding the trial of a black man accused of raping a white girl are understandable to readers as young as eleven or twelve. Small town southern society is presented in a fair and complex light so that questions of blame are less easy to resolve. AN excellent novel for trial enactments.

BILLY BUDD by Herman Melville
Core Concept: Judgment, Righting the Balance
A false accusation leads a sailor accidentally to slay his accuser. The trial that follows forces readers to consider the nature of justice and the claims of a narrow versus a liberal interpretation of law.

MUTINY ON THE BOUNTY by Nordhoff and Hall
Core Concept: Upsetting the Balance
Authoritarian Captain Bligh, in a series of arbitrary displays of power, leads his crew to mutiny. The crew's subsequent attempts to establish a new order, to treat the ousted Bligh justly and lay the basis for continued justice form the basis of a novel that is full of excitement and romance. Based on actual historical events, the novel could profitably inspire historical research.

ANIMAL FARM by George Orwell
Core Concept: Upsetting the Balance
Like the crew of the Bounty, the animals of Manor Farm "mutiny," overthrowing besotted Farmer Jones. Their attempts to establish a just society, in this case based on a socialist model, are amusingly unsuccessful. The tyranny that results has been likened to authoritarian regimes like Stalinist Russia and Napoleonic France.

NINETEEN EIGHTY FOUR by George Orwell
Core Concept: Upsetting the Balance, Judgment, Justice and Society
The vain attempts of two people to challenge a paternalistic, authoritarian society in the name of human freedom and justice raise vital questions about government involvement in human lives, the connection between legal practice and moral principle and the psychological needs of individuals.

CRY THE BELOVED COUNTRY by Alan Patton
Core Concept: Guilty or Not Guilty, On Being Convicted
Set in South Africa, the novel centers on the investigation, arrest and trial of a young black man who, in collusion with friends who turn against him, accidentally kills a white man during an attempted robbery. The fact that the slain man is a civil rights activist and that the slayer's father is a village priest adds needed complexity to the novel as it focuses attention on an entire society's responsibility for crime.

TO PROVE YOURSELF A HERO by K. M. Peyton
Core Concept: Who's to Blame?
A fourteen year-old boy is kidnapped and under the stress of the situation agrees to take a sedative and thus misses a chance to escape. His subsequent guilt is intense and causes him to take complete responsibility for the crime. Readers faced with this case become his jurors. An extremely well written book, especially suitable for young adults.

WITCH OF BLACKBIRD POND by Elizabeth Spears
Core Concept: Who's to Blame?
The trial of a young woman for witchcraft in 17th Century Wethersfield, Connecticut clearly presents a society whose legal and moral tenets are askew. Not quite as grim as many witchcraft accounts, this book is a good introduction to a historical study of the Salem witch trials.

OF MICE AND MEN by John Steinbeck
Core Concept: Righting the Balance, Guilty or Not Guilty?
This well-known, easy-to-read novel portrays a retarded man unable to control his strength and a responsible man's efforts to teach him control. The tragic failure of this teaching raises the crucial question, how can and should a society deal with those who cannot comprehend its most basic laws?

A CHANCE CHILD, by Jill Paton Walsh
Core Concept: Who's to Blame?
Child labor in England is examined through the eyes of a contemporary child in a novel that clearly introduces notions of social justice in terms of simple (but not simplistic) enough for a ten to twelve year old to follow.

THE ONION FIELD by Joseph Wambaugh
Core Concept: On Being Convicted, Justice and Society
A graphic narrative about death row inmates in San Quentin. The novel examines the trauma sustained both by the convicted and the convicters. Raises important questions about the justice of capital punishment.

NIGHT JOURNEYS by Avi Wortis
Core Concept: Guilty or Not Guilty?
Set in Colonial Pennsylvania, the novel focuses on the capture of two runaway indentured servants. In many ways the dilemma here resembles that of *Summer of My German Soldier* and the books are of comparable reading levels.

DRAMA:

THE DEVIL AND DANIEL WEBSTER, by Stephen Vincent Benet
Core Concept: Upsetting the Balance, Guilty or Not Guilty
A clever lawyer does "legal" battle with the Devil for a human soul in an entertaining "relative" to Goethe's *Faust*.

A MAN FOR ALL SEASONS by Robert Bolt
Core Concept: Upsetting the Balance
A historical play based on the trial of Sir Thomas More who put loyalty and principle above personal safety and friendship with King Henry VIII.

WITNESS FOR THE PROSECUTION by Agatha Christie
Core Concept: Guilty or Not Guilty
More than just a typical mystery story, this play takes a reader into a courtroom, exposing him or her to legal tactics and issues.

THE VISIT by Friedrich Durrenmatt
Core Concept: Righting the Balance, Judgment
This play depicts the grotesque revenge of a woman who offers her hometown enough money to buy themselves out of depression in exchange for the conviction and death of the man who, years before, fathered her illegitimate child. The second trial exposes the sham civic ideals of the society.

TRIAL BY JURY by Gilbert and Sullivan
Core Concept: Guilty or Not Guilty
A whimsical operetta set in a courtroom. A suit brought by a jilted lover brings up questions of equity and just deserts. A short and "presentable" piece of younger students.

AN ENEMY OF THE PEOPLE by Henrik Ibsen
Core Concept: Justice and Society
This play raises many issues central to modern life and governance, including the individual's responsibility for the social good.

INHERIT THE WIND by Lawrence and Lee.
Core Concept: Upsetting the Balance, Guilty or Not Guilty
Based on the Scopes Trial, this play presents an individual who deliberately sets out to challenge a law by breaking it. A fast-paced, witty play that is easily accessible to younger students, but sophisticated enough to hold anyone's interest.

WEST SIDE STORY, by Laurents and Bernstein
Core Concept: Righting the Balance
Two fifties gangs attempt to achieve social equilibrium by taking the law into their own hands and tragedy ensues. The message is simple and perhaps a bit too moralistic for a modern audience.
THE CRUCIBLE by Arthur Miller
Core Concept: Righting the Balance, Justice and Society
Written during the McCarthy "witch hunts," *The Crucible* is based on the Salem Witch Trials and focuses on a single man who refused to take the easy course and confess. The attempts of a society to achieve social order at any cost make this play a central work.

TWELVE ANGRY MEN by Reginald Rose
Core Concept: Guilty or Not Guilty, Judgment
This play, focusing on the role of a juror, is reminiscent of medieval miracle plays. Vices and virtues, such as Gluttony and Humility, appear as real people. This is an excellent play to use as an introduction to the workings of a jury and the processes of judgment.

MEASURE FOR MEASURE by William Shakespeare
Core Concept: Judgment
In a variety of relationships, the question of justice arises, as does the question of the proper use of legal authority. The play centers on the misuse of power by one in whom it has been entrusted, his unjust judgments and a final reestablishment of order and justice by a true authority.

THE MERCHANT OF VENICE by William Shakespeare
Core Concept: Judgment
An excellent introduction to contracts, the play presents the interpretation of a contract. Shylock, a moneylender, demands in lieu of an un-returned loan, "a pound of flesh." Portia, a friend to his debtor, disguises herself as a lawyer and after examining the contract declares that Shylock can have no blood with his flesh.

ROMEO AND JULIET by William Shakespeare
Core Concept: Righting the Balance
In a variety of attempts to restore justice, people violate the law and ultimately fail in their pursuits, causing greater injustices. The play raises important questions of civic versus family responsibility.

TIMON OF ATHENS by William Shakespeare
Core Concept: Righting the Balance, Judgment
A generous man expects his munificent gifts to friends to have earned him credit upon which he can draw in his time of need. His unsuccessful attempts to collect and subsequent alienation from society could serve as the basis for good discussion of the nature of agreement and the necessity of laws to protect those agreements.

SAINT JOAN by George Bernard Shaw
Core Concept: Upsetting the Balance, Judgment
Shaw fills out what is known about the campaign, trial and execution of Joan of Arc in a play that takes a skeptical view of her judgment and society's tolerance of dissidents.

ANTIGONE by Sophocles
Core Concept: Righting the Balance, Judgment
Like many other literary figures to follow her, Antigone is faced with two laws, the upholding of one resulting in the breaking of the other. An excellent way of introducing contradictions between laws.

MISCELLANEOUS:

THE CATTONSVILLE NINE by Daniel Berrigan
Core Concept: Justice and Society
The play centers on an act of civil disobedience during the Vietnamese conflict. In 1968, Father Daniel Berrigan with his brother and fellow activists burned over five hundred draft files and were charged with and convicted of destroying government property. The play is slanted in their favor.

PORTIONS OF CANTERBURY TALES by Geoffrey Chaucer
Friars Tale
Core Concept: Judgment
The Friar, one who had judicial as well as spiritual authority in the Middle Ages, tells the tale of a summoner who misuses his power to extort money from those under his jurisdiction. The conduct of his "summonses" and the judgement he is subject to at the hands of his judge, Satan, suggest several legal themes.
Wife of Bath's Tale
Core Concept: Judgment
A young man convicted of rape is saved from the gallows and given a punishment intended to serve as redemption and to restore a more perfect justice than his death could establish.

NJAL'S SAGA by Magnus Magnuson

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Core Concept: Judgment, Righting the Balance, Justice and Society
This saga recounts the conflicts over property and authority among Icelandic families and relays how the society is ultimately unable to resolve the conflict peaceably.

MERRY ADVENTURES OF ROBIN HOOD by Howard Pyle
or
ADVENTURES OF ROBIN HOOD by Roger L. Green
Core Concept: Righting the Balance
A young Englishman returns from the Crusades to find he is an outlaw. He works to right the situation and takes actions that include "robbing the rich to give to the poor."

SHORT STORIES:

THE STONE BOY by Gina Berrault
Core Concept: Guilty or Not Guilty
When a young boy accidentally shoots and kills his older brother, instead of returning to report the accident, he numbly proceeds to pick peas as he had originally intended. This apparent indifference convinces his family that he is a cold-hearted boy, a criminal-to-be.

MY FATHER GOES TO COURT by Carlos Bulosan
Core Concept: Righting the Balance
Set in the Phillipines, the story recounts a suit brought by a wealthy family against a poor one. Accused of taking him from the wealthy family "the spirit of health," the father of the poor family offers to make reparation with "the spirit of money," and shows this by jingling a handful of silver. The case is dismissed.

MY SIDE OF THE MATTER by Truman Capote
Core Concept: Guilty or Not Guilty
A contemptible, but amusing narrator seeks to defend before his readers his honor in the face of charges of theft and marital negligence. The story is told from behind the door of his wife's aunt's house that he has barricaded to keep his accusers away.

THE TRIAL OF THE KNAVE OF HEARTS by Lewis Carroll
Core Concept: Who's to Blame, Judgment
The climax of *Alice in Wonderland*, this humorous account of a totally anarchic trial amusingly brings up questions of due process and other aspects of procedure and evidence. A good introduction to what goes on in a courtroom for readers of any age.

PAUL'S CASE by Willa Cather
Core Concept: Upsetting the Balance
A young adolescent's inability to respect the authority of teachers, parents, and, ultimately, legal authorities, prompts a rash escape and self-destruction.

THE EVILDOER by Anton Chekhov
Core Concept: Guilty or Not Guilty, Upsetting the Balance
Hostility between classes in 19th Century Russia sets the tone for the trial of a peasant accused of deliberately attempting to sabotage the railroad he works on. Presented with evidence both vindicating and condemning, the reader is called upon to decide the verdict.

THE WHITE CIRCLE by John Bell Clayton
Core Concept: Righting the Balance
Again tensions between the "haves" and the have-nots" inform this story set in the South. A younger, weaker boy attempts to kill an older boy who has invaded his territory and exercised physical superiority. The attempt is unsuccessful and leads to amends, which are likewise vain.

THUS I REFUTE BEELZY, by John Collier
Core Concept: Upsetting the Balance
A fantasy about a child's reaction against an authoritarian father for whom the laws of logic are sacred.

BARDWELL V. PICKWICK by Charles Dickens
Core Concept: Who's to Blame, Judgment
A misunderstood conversation in which Mrs. Bardwell assumes that her boarder Mr. Pickwick has proposed to her leads her to sue him for "breach of promise."

TOMORROW by William Faulkner
Core Concept: Judgment
An account of a defense attorney's search into the background of a man, who by holding out has "hung" the jury he is a member of. The difficulty of impartiality is broached by Faulkner.

WASH by William Faulkner
Core Concept: Righting the Balance
Originally part of his longer novel, *Absalom, Absalom*, this story centers on the punishment of a white landowner by the black father of the young woman who has just born his child.

AMERICA'S FIRST WOMAN LAWYER: THE BIOGRAPHY OF MYRA BRADWELL by Jane M. Friedman
Core Concept: Legal Profession
The story of Myra Bradwell (1831 to 1894) who passed the Illinois bar examination in 1869 but was barred from practicing law because of her sex. She established the "Chicago Legal News," through which she lobbied diligently for legal reform. Mary Todd Lincoln was a friend, and client, of Ms. Bradwell.

THANK YOU MA'AM by Langston Hughes
Core Concept: Righting the Balance
A boy attempts to steal a woman's purse and instead of reprimanding or reporting him, she brings him home, feeds him and gives him money to buy blue suede shoes. One of a very few works that suggest that rehabilitation is possible.

CHARLES by Shirley Jackson
Core Concept: Who's to Blame?
A child defies parental authority and seeks to defy teacher authority. When he cannot do the latter, he creates an imaginary friend who is ungovernable. His parents' inability to see through their child's deception, assuming his blamelessness, makes this an amusing story.

THE LOTTERY by Shirley Jackson
Core Concept: Righting the Balance
Gradually readers realize that what appears to be merely a game of chance, an ordinary lottery, is actually a ritualized system of social purification. The "winner" of the lottery is stoned by all other members of his or her village.

THE CATCHEE by Konigsburg
Core Concept: Who's to Blame?
The narrator is a "catchee," the type who, for example, gets nabbed by a store detective in the women's lingerie section and accused of stealing panties. The story is interesting in the calm, rational way in which the narrator responds to the false accusations and inquisitions to which he is subjected.

HAIRCUT by Ring Lardner
Core Concept: Righting the Balance
A retarded boy interprets a personal affront to a friend as a grave insult to dignity and kills the offender who has hitherto considered himself above the constraints of a small town society.

THE BAD SEED by William Maxwell
Core Concept: Upsetting the Balance
Rhoda Penmark, apparently "little miss innocent," is actually an apparently ruthless murderess. Her mother's attempts to both protect her daughter and to protect others from one lacking wholly in moral sense make this a troubling but fascinating novella.

MATEO FALCONE by Prosper Marimee
Core Concept: Righting the Balance
A Corsican exacts justice for a high price--the life of his only, beloved son who must pay for the dishonor of accepting a bribe with his life.

DEATH OF THE KNIFE-THROWER'S WIFE by Shigo Macya
Core Concept: Guilty or Not Guilty?
Was the death of the wife of Han, a Chinese juggler and knife-thrower, accidentally or intentionally caused by Han? Han doesn't himself know the answer. The story portrays his trial and considers the psychological difficulty of distinguishing between accident and intent.

THE QUIET MAN by Liam O'Flaherty
Core Concept: Righting the Balance
The hero displays a quiet strength in challenging his wife's brother who has repeatedly refused to pay her dowry. His devotion to principal rather than money makes him especially appealing.

AFTER TWENTY YEARS by O'Henry
Core Concept: Who's to Blame?
When policemen Jimmy Wells sees the face of the friend with whom he had agreed to rendezvous twenty years before, he realizes it is the face of a wanted criminal. The question of whether his arrest of his "friend" violates a higher law makes for good discussion.

SICILIAN HONOR by Luigi Pirandello
Core Concept: Righting the Balance
The story recounts the trial of a Sicilian who, cuckolded by his wife, does not react until after the affair is made public. At this point, he picks up an ex and murders her, thus "righting the balance."

SREDNI VASHTAR by Saki
Core Concept: Upsetting the Balance
A meddling guardian violates a young boy's rights to freedom of religion and the boy seeks to regain his freedom. An interesting story when read with "Thus I refute Beelzy."

TO SEE THE INVISIBLE MAN by Robert Silverberg
Core Concept: Judgment
The story presents a society that punishes its wrongdoers by imposing upon them a kind of invisibility. Wearing a sort of "mark of Cain," they do not actually become invisible, but are deliberately ignored by society. Interesting for its view of a society in which all citizens support and take part in maintaining the penal system.

ANATOMY OF A MURDER by Robert Traver
Core Concept: Justice and Society
Considered by some to be a courtroom classic, unmatched in authenticity and vivid portrayals of setting, events and characters.

ONE L by Scott Turow
Core Concept: Legal Profession
Turow presents an interesting look at the first year of law school...his own at Harvard Law School.

HARRISON BERGERON by Kurt Vonnegut Jr.
Core Concept: Upsetting the Balance, Justice and Society
A depiction of a society in which "equality" is legislated. the society has determined a norm and anyone with greater gifts must wear a handicap to ensure absolute equality. Good basis for discussion of government intervention in human lives and since so much recent constitutional law has sought to increase equality; this story is profitably controversial.

THE WINNER by Donald E. Westlake
Core Concept: Upsetting the Balance, Justice and Society
The protagonist is a dissident imprisoned by a "merciful" institution that controls its prisoners by installing in their brains a transmitter capable of sending pain messages throughout the nervous system. The hero makes a break for freedom and endures the pain and accompanying brainwashing to gain that freedom, which he is permitted to keep.

CHILDREN'S LITERATURE AND LAW BIBLIOGRAPHY

THEME 1. RULES AND LAWS ARE ESSENTIAL AND PLAY AN IMPORTANT ROLE IN OUR LIVES.

Primary:

Dogs Don't Belong on Beds by Enid Bloome. Illustrated by Rose Sommerschield.
New York: Doubleday, 1971.
The Bear's Bicycle by Emilie MacLeod. Illustrated by David MacPhail.
Boston: Little, Brown & Co. 1975.
The Bears' Vacation by Stan and Jan Berenstain. New York: Random House. 1968.

Intermediate:

The Upstairs Room by Johanna Reiss. New York:Crowell, 1972.
Pippi Longstocking by Astrid Lindgren. Illustrated by Louis Glanzman.
New York: Viking. 1950.
Z is for Zachariah by Robert O'Brien. New York: Atheneum. 1973.

THEME 2: WORTHWHILE RULES AND LAWS HAVE SIMILAR CHARACTERISTICS

Primary:

Madeline's Rescue by Ludwig Bemelmans. New York: Viking. 1953.
Bedtime for Frances by Russell Hoban. Illustrated by Garth Williams.
New York: Harper & Row. 1960.
Curious George by H.A. Rey. Boston: Houghton Mifflin, 1941.

Intermediate:

The Good of It All by Geraldine Richelson. Illustrated by Claude Lapointe.
A Harlin Quist Book, 1975.
The Slave Dancer by Paula Fox. New York: Dell. 1973.
Mrs. Frisby and the Rats of NIMH by Robert O'Brien. Illustrated by Zena Bernstein.
New York: Atheneum. 1972.

THEME 3: RULES AND LAWS FREQUENTLY EVOLVE FROM CUSTOMS AND PRACTICES.

Primary:

Helga's Dowry by Tomie DePaola. New York: Harcourt, Brace, Jovanovich, 1977.

Visiting Pamela by Norma Klein. Illustrated by Kay Chorao. New York: Dial Press, 1979.

Please and Thank You Book by Richard Scarry. New York: Random House, 1973.

Intermediate:

The Maude Reed Tale by Norah Lofts. Illustrated by Anne and Janet Grahame Johnstone. New York: Thomas Nelson, 1971.

A Hunter Comes Home by Ann Turner. New York: Crown. 1980.

The Bronze Bow by Elizabeth George Speare. Boston: Houghton Mifflin, 1961.

THEME 4: DIFFERENT PEOPLE IN DIFFERENT SETTINGS CREATE LAWS AND RULES FOR DIFFERENT REASONS.

Primary:

The Troll Book by Michael Berenstain. New York: Random House, 1980.

The Elephant Who Couldn't Forget by Faith McNulty. Illustrated by Marc Simont. New York: Harper & Row, 1980.

In My Mother's House by Ann Nolan Clark. Illustrated by Velino Herrara. New York: Viking, 1941.

Intermediate:

Song for a Dark Queen by Rosemary Sutcliff. New York: Crowell, 1978.

The Gift of Sarah Barker by Jane Yolen. New York: Viking, 1981.

Are You There, God? It's Me, Margaret by Judy Blume. New York: Bradbury, 1970.

THEME 5: DIFFERENT PEOPLE IN DIFFERENG SETTINGS ENFORCE LAWS AND RULES FOR DIFFERENT REASONS.

Primary:

Stega Nona by Tomie DePaola. New Jersey: Prentice-Hall, 1975.

The 500 Hats of Bartholomew Cubbins by Dr. Seuss. New York: Vanguard, 1938.

Mr. Mischief by Roger Hargreaves. Los Angeles: Price, Stern, Sloan, 1980.

Intermediate:

Pearl in the Egg by Dorothy Van Woerkom. Illustrated by Joe Lasker. New York: Crowell, 1980.

The Perilous Gard by Elizabeth Marie Pope. Illustrated by Richard Cuffart. Boston: Houghton Mifflin, 1974.

In Summertime, It's Tuffy, by Judie Angell. New York: Bradbury, 1977.

THEME 6: RULES AND LAWS ARE USED TO JUDGE BEHAVIOR AND TO SETTLE DISPUTES.

Primary:

The Minstral and the Mountain by Jane Yolen. Illustrated by Anne Rockwell. Cleveland: World, 1967.

The Lion's Tail by Douglas F. Davis. Illustrated by Ronald Himler. New York: Atheneum, 1980.

Onions, Onions by Toni Hormann. Illustrated by Diane Stanley. New York: Crowell, 1981.

Intermediate:

The Pushcart War by Jean Merrill. New York: Macmillan, 1964.

Justice Lion by Robert Newton Peck. Boston: Little, Brown & Co., 1980.

Queenie Peavy by Robert Burch. Illustrated by Jerry Lazare. New York: Viking, 1966.

THEME 7: THE PURPOSE OF LAW IS TO MEET THE NEEDS OF PEOPLE AND THE COMMUNITY.

Primary:

The Little House by Virginia Lee Burton. Boston: Houghton Mifflin, 1942.

Grizzwold by Syd Hoff. New York: Harper & Row, 1963.

The Muffin Muncher by Stephen Cosgrove. Illustrated by Robin James. Minnesota: Creative Education, 1974.

Intermediate:

After the Goat Man by Betsy Byars. New York: Avon Books, 1974.

The Witch of Blackbird Pond by Elizabeth George Speare. Boston: Houghton Mifflin, 1958.

The Man From Boston by Marion Starkey. Illustrated by Charles Mikolycak. New York: Crown, 1975.

THEME 8: RULES AND LAWS ARE BOTH STABLE AND CHANGING: INDIVIDUALS CAN CAUSE CHANGE.

Primary:

Tig Sees Red by Robert Newton Peck. Illustrated by Pamela Johnson. Boston: Little, Brown & Company, 1978.

The King's Fountain by Lloyd Alexander. Illustrated by Ezra Jack Keats. New York: Dutton, 1971.

Yertle the Turtle and Other Stories by Dr. Seuss. New York: Random House, 1950.

Intermediate:

Save the Mustangs by Ann Weiss. New York: Simon and Schuster, 1974.

Maudie and Me and the Dirty Book by Betty Miles. New York: Knopf, 1980.

Can You Sue Your Parents for Malpractice? by Paula Danzinger. New York: Delacorte, 1979.

THEME 9: RULES AND LAWS PROTECT A PERSON'S INDIVIDUAL RIGHTS, PRIVACY, OPINION OR IDEAS, AND PROPERTY.

Primary:

"The Zax," *The Sneetches and Other Stories* by Dr. Seuss. New York: Random House, 1961.

Evan's Corner by Elizabeth Starr Hill. Illustrated by Nancy Grossman. New York: Holt, Rinehart & Winston, 1967.

Mr. Nosey by Roger Hargreaves. Los Angeles: Price, Stern, Sloan, 1980.

Intermediate:

We Interrupt this Semester for an Important Bulletin by Ellen Conford. Boston: Little, Brown & Co. 1979.

Harriet the Spy by Louise Fitzhugh. New York: Harper & Row. 1964.

After the First Death by Robert Cormier. New York: Pantheon, 1979.

THEME 10: THERE IS A RELATIONSHIP BETWEEN THE VALUES OF A SOCIETY AND THE LAWS OF THAT SOCIETY.

Primary:

Noisy Nora by Rosemary Wells. New York: Dial Press, 1973.

Song of the Trees by Mildred D. Taylor. Illustrated by Jerry Pinkney. New York: Dial Press, 1975.

Through Grandpa's Eyes by Patricia MacLachlan. Illustrated by Deborah Ray. New York: Harper & Row, 1979.

Intermediate:

The Rocking Chair Rebellion by Eth Clifford. Boston: Houghton Mifflin. 1978.

A Wrinkle in Time by Madeline L'Engle. New York: Farrar, Strauss Giroux, Inc. 1962.

Bless the Beasts and Children by Glendon Swarthout. New York: Doubleday, 1970.

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Bicentennial Bibliography of Children's And Young Adult Literature

This is a "selected" list of books that relate to the United States Constitution. The Children's Book Council developed the classification system. For additional information write to The Children's Book Council, 67 Irving Place, New York, NY 10003.

THE U.S. CONSTITUTION - Up to and Including Middle Grades

Beyond a Reasonable Doubt: The American Jury System and How it Works. Melvyn Bernard Zerman. Ill. by John Caldwell. Crowell. 1981.
Birth of the Constitution. Edmund Lindop. Ill. with photos. Enslow. 1986.
Capital Punishment. Don Lawson. Ill. with photos and prints. Watts. 1986.
Censorship. Cindy Taylor. Ill. with photos and prints. Watts. 1986.
The Constitution. Richard B. Morris. Ill. by Leonard Everett Fisher. Lerner. 1985.
A Convention of Delegates: The Creation of the Constitution. Denis J. Hauptly. Ill. with prints. Atheneum. 1987.
If You Were There When They Signed the Constitution. Elizabeth Levy. Scholastic. 1987.
The Right to Bear Arms. Geraldine and Harold Woods. Watts. 1986.
Separation of Church and State. Irene Cumming Kleeberg. Watts. 1986.
Shhh! We're Signing the Constitution. Jean Fritz. Ill. by Tomie dePaola. Putnam. 1987.
States Rights. John E. Batchelor. Ill. with photos and prints. Watts. 1986.
Taking on the Press: Constitutional Rights in Conflict. Melvyn Bernard Zerman. Ill. with photos and prints. Crowell. 1986.
This Constitution. Peter Sgroi. Ill. with photos and prints. Watts. 1986.
We the People: The Story of the U.S. Constitution since 1787. Doris and Harold Faber. Ill. with photos and prints. Scribner. 1987.
Your Right to Privacy. Dorothy and Thomas Hoobler. Ill. with photos and prints. Watts. 1986.

THE BIRTH OF THE REPUBLIC - Beginning and Independent Reading

America's Birthday: The Fourth of July. Tom Schactman. Ill. with photos by Chuck Saaf. Macmillan. 1986.
American Riddles. David A. Adler. Holiday. 1987.
Buttons for General Washington. Peter and Connie Roop. Ill. by Peter E. Hanson. Carolrhoda. 1986.
The 4th of July Story. Alice Dalgliesh. Ill. by Marie Nonnast. Aladdin. 1987.
From Path to Highway: The Story of the Boston Post Road. Gail Gibbons. Crowell. 1986.
George the Drummer Boy. Nathaniel Benchley. Ill. by Don Bolognese. Harper. 1977.
Sam the Minuteman. Nathaniel Benchley. Ill. by Arnold Lobel. Harper. 1987.
Six Silver Spoons. Janette Sebring Lowrey. Ill. by Robert Quakenbush. Harper. 1971.
The Star Spangled Banner. Peter Spier. Ill. by the author. Doubleday. 1973.

Middle Grades and Older Readers

The American Revolution. Richard B. Morris. Ill. by Leonard Everett Fisher. Lerner. 1985.
Crack the Liberty Bell. Marc Kornblatt. Bantam. 1987.
The Fighting Ground. Avi. Lippincott. 1984.
The Founding of the Republic. Richard B. Morris. Ill. by Leonard Everett Fisher. Lerner. 1985.
George Washington and the Birth of our Nation. Milton Meltzer. Ill. with photos and prints. Watts. 1986.
The Glorious Fourth at Prairietown. Joan Anderson. Ill. with photos by George Ancona. Morrow. 1986.
The Indian Wars. Richard B. Morris. Ill. by Leonard Everett Fisher. Lerner. 1985.
The Mystery of the First President. Bantam. 1987.
1776: Journals of American Independence. George Sanderlin. Harper. 1968.
The Story of the Boston Massacre. Mary Kay Phelan. Ill. by Frank Aloise. Crowell. 1973.
Time Enough for Drums. Ann Rinaldi. Holiday. 1986

THE FOUNDERS OF THE REPUBLIC - Beginning Independent Reading

Benjamin Franklin. Ingri and Edgar Parin d'Aulaire. Ill. by the authors. Doubleday. 1950.
George Washington. Ingri and Edgar Parin d'Aulaire. Ill. by the authors. Doubleday. 1936.
Thomas Jefferson. David A. Adler. Holiday. 1987.
Middle Grades and Older Readers
Alexander Hamilton. Mollie Keller. Ill. with photos and prints. Watts. 1986.
And Then What Happened, Paul Revere? Jean Fritz. Ill. by Margot Tomes. Coward. 1973.
Ben and Me: An Astonishing Life of Benjamin Franklin by His Good Mouse Amos. Robert Lawson. Little. 1939.
Benjamin Franklin. Stephen Overholser. Bantam. 1987.
Benjamin Franklin. Cass R. Sandak. Ill. with photos and prints. Watts. 1986.
Can't You Make Them Behave, King George?. Jean Fritz. Ill. by Tomie dePaola. Coward. 1977.
Early Thunder. Jean Fritz. Ill. by Lynd Ward. Coward. 1967.
Founding Mothers: Women in America in the Revolutionary Era. Linda Grant DePauw. Houghton. 1975.
Framers of the Constitution. Dorothy Horton McGee. Dodd. 1968.
George Washington. Tom McGowen. Ill. with photos and prints. Watts. 1986.
George Washington's Breakfast. Jean Fritz. Ill. by Paul Galdone. Coward. 1969.
Mr. Revere and I: An Account of Certain Episodes in the Career of Paul Revere, Esq. As Revealed by His Horse. Robert Lawson. Little. 1953.
Patrick Henry. Diana L. Reische. Ill. with photos and prints. Watts. 1987.
Paul Revere. Marty Lee. Ill. with photos and prints. Watts. 1987.
Thomas Jefferson. Charles Patterson. Ill. with photos and prints. Watts. 1987.
What's the Big Idea, Ben Franklin?. Jean Fritz. Ill. by Margot Tomes. Coward. 1976.
The World of Young George Washington. Suzanne Hilton. Ill. by William Sauts Brock. Walker. 1986.

Thank You!